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URBAN/MUNICIPAL

MINUTES OF THE MEETINGS  
OF THE COUNCIL OF  
HAMILTON







MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, JANUARY 10, 1989  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury,  
Copps, Christopherson, Agostino, Lombardo, Smith,  
Jackson, Merling, Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend Dr. John A. Johnston, MacNab Street Presbyterian Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow read the following Proclamations:

(i) Hamilton Public Library Centennial Year.

(ii) National Non-Smoking Week - January 12 to January 18, 1989.

His Worship Mayor Robert M. Morrow presented civic awards to members of the Hamilton Transway Girls Basketball Teams.

The minutes of the meeting of December 13, 1988, were taken as read and approved.

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Letter from Mr. E. A. Simpson, City Clerk, advising objections received to By-law Number 88-261, dated December 30, 1988. NO ACTION TAKEN.
2. Application from 683595 Ontario Inc. (Nesci Developments), 19 Stella Court, Hamilton, Ontario, for a change in zoning, properties located at 694 Pritchard Road and 1565 Rymal Road East, dated December 13, 1988.
3. Application from S. G. Kemp, 121 Vansitmart Avenue, Hamilton, Ontario, for a change in zoning, property located at 18 Christie Street, dated December 13, 1988.
4. Application from Eric Charles, 172 Ferguson Avenue North, Hamilton, Ontario, for modification to the zoning, property located at 189 Oak Avenue, dated December 14, 1988.



5. Application from Ted Valeri and Anthony Ferro, c/o 2140 King Street East, Hamilton, Ontario, for a change in zoning, property located at 89 Stone Church Road West, dated December 19, 1988.
6. Application from T. Valeri Construction Limited, 2140 King Street East, Hamilton, Ontario, for a change in zoning, property located at the corner of Stone Church Road East and Upper Wentworth Street, dated December 19, 1988.
7. Application from Hampshire Properties Inc., Arthur Weisz Real Estate Limited and Hyman Richter, 242 Main Street East, Hamilton, Ontario, for a change in zoning, property located at 1275 and 1317 Upper James Street, dated December 27, 1988.
8. Application from Borjc Willgren, 294 Lake Ave. North, Hamilton, Ontario, for a change in zoning, property located at 294-298 Lake Avenue North, Hamilton, Ontario, dated December 29, 1988.
9. Application from John Norris, et al, 105 Lavina Crescent, Hamilton, Ontario, for an amendment to Section 3(viii) of the Hamilton Zoning By-law No. 6593, dated December 29, 1988.
10. Application from Lawrence R. Desaulniers, 172 Beach Road, Hamilton, Ontario, for a modification to the zoning, property located at 172 Beach Road, dated January 3, 1989.
11. Application from Ankam Properties Ltd., 76 St. Clair Avenue West, Suite 700, Toronto, Ontario, for a change in zoning, property located at 1117-1119 Fennell Avenue East, dated January 3, 1989.
12. Letter from Mr. Mike Bradley, Chairman, Large Urban Section of AMO, Suite 805, 100 University Avenue, Toronto, Ontario, re "Authority to Establish Severance Pay Provisions", dated January 5, 1989.

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It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Gallagher in the chair.

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(A) CO-ORDINATING COMMITTEE - SECOND REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Christopherson, Smith, Jackson, Gallagher, Ross, Murray. - 12.

NAYS: Aldermen Kiss, Copps, Agostino. - 3. CARRIED.

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(D) PLANNING AND DEVELOPMENT COMMITTEE - THIRD REPORT.

Recorded vote on Section 8.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: Alderman Christopherson. - 1. CARRIED.

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It was moved by Alderman Merling and seconded by Alderman Agro.

RESOLVED: that Section 10 be amended by deleting lines 6 and 7, reading as follows:

"DENIED for the following reason:

- (a) The proposed development is considered to be inappropriate."

and inserting the following in lieu thereof:

"APPROVED on the following basis:

- i) That the subject lands be rezoned from 'D' (Urban Protected Residential One and Two-Family Dwellings, Townhouses, etc.) District to 'G-3' (Public Parking Lots) District;
- ii) That the 'G-3' (Public Parking Lots) District regulations as contained in Section 13C of Zoning By-law No. 6593 be modified to include the following variance as a special requirement:
  - 1. To prohibit vehicular access to Canada Street.
  - 2. That a landscaped planting strip having a minimum width of 3.0m (9.84 ft.), and a visual barrier not less than 1.2m (3.94 ft.) nor more than 2.0m (6.56 ft.) shall be provided and maintained along and within the southerly property line of the site which is located opposite the residentially zoned properties along the south side of Canada Street.
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1108, and that the subject lands on Zoning District Map W-13 be noted S-1108;



- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-13 for presentation to City Council.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- vi) That the Kirkendall North Neighbourhood Plan be amended by redesignating the subject lands from 'Single and Double' residential to a 'Commercial' land use.
- vii) That the amending By-law not be forwarded for final Council approval until such time as a site plan is approved by the Planning and Development Committee.

NOTE: The purpose of the By-law is to provide for a change in zoning of the subject lands from 'D' (Urban Protected Residential, One and Two Family Dwellings, Townhouses, etc.) District to 'G-3' (Public Parking Lots) District, for properties located at No. 106 and 108 Canada Street.

The intent of the By-law is to provide additional off-street parking for patrons of the Calabria Supermarket, located at No. 103 Locke Street South which adjoins the subject lands.

In addition, the By-law provides for the following variance as a special provision:

- (a) To prohibit vehicular access to Canada Street;
- (b) To require a 3.0m (9.84 ft.) wide landscaped planting strip and a visual barrier not less than 1.2m (3.94 ft.), not more than 2.0m (6.56 ft.) along and within the southerly property line of the site which is located opposite the residentially zoned properties along the south side of Canada Street."

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Aldermen Kiss, Smith. - 2. CARRIED.

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It was moved by Alderman Smith and seconded by Alderman Gallagher.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit the introduction of a Bill respecting Flea Markets. - CARRIED.

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It was moved by Alderman Smith and seconded by Alderman Christopherson.

RESOLVED: that the following Bill be added as Section 18(c):

Bill D-5 A By-law to Amend Zoning By-law No. 6593 Respecting Flea Markets. - CARRIED.

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(D) PLANNING AND DEVELOPMENT COMMITTEE - FIRST REPORT.

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 10 respecting Zoning Application 88-80 for lands located at 1500, 1514 and 1522 Upper Ottawa Street, adopted by City Council at its meeting held Tuesday, December 13, 1988, reading as follows:

"10. That APPROVAL be given to Zoning Application 88-80, Mr. L. W. Bertrand, Mr. R. Gallagher and Mr. J. Ferguson, owners, for changes in zoning (Block 1) from 'AA' (Agricultural District to 'R-4' (Small Lot Single-Family Detached) District and (Block 2) from 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District, for lands located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, as shown on the attached map marked as APPENDIX 'C' on the following basis:

- (a) That the lands described as Block 1 be rezoned from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District;
- (b) That the lands described as Block 2 be rezoned from 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-49d;
- (d) That the Templemead Neighbourhood Plan be amended by redesignating the following:
  - (i) Block 1 - From 'Attached Housing' and 'Low Density Apartments' to 'Single and Double' residential.
  - (ii) Block 2 - From 'Attached Housing' to 'Low Density Apartments'.



NOTE: The purpose of this By-law is to provide for changes in zoning for properties located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, on the following basis:

- (a) Block 1 - From 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District; and
- (b) Block 2 - From 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District.

The effect of the By-law is to permit small lot single-family dwellings on the lands described as Block 1, and to permit low density apartment and/or townhouse development on the lands described as Block 2." -

be reconsidered. - CARRIED.

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It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 10, adopted by City Council at its meeting held Tuesday, December 13, 1988, BE DELETED and the following substituted therein:

- "10. That APPROVAL be given in part to Zoning Application 88-80, Mr. L. W. Bertrand, Mr. R. Gallagher and Mr. J. Ferguson, owners, for a change in zoning of Block 1 from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District, for lands located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, as shown on the attached map, on the following basis:
- a) That the lands described as Block 1 be rezoned from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District;
  - b) That the City Solicitor be directed to prepare a By-law to Amend Zoning By-law No. 6593 and Zoning District Map E-49D;
  - c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
  - d) That the Templemead Neighbourhood Plan be amended by redesignating the lands described as Block 1 from 'Attached Housing' and 'Low Density Apartments' to 'Single and Double' residential use.



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NOTE: The purpose of this By-law is to provide for a change in zoning of part of the properties located at Nos. 1500, 1514 and 1522 Upper Ottawa Street from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District.

The effect of the By-law is to permit small lot single-family dwellings.

A decision on the change in zoning from 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District for the lands described as Block 2 will enable the Ward Aldermen to hold a meeting with the area residents and the applicants." - CARRIED.

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It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 10, as replaced, be adopted. - CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Smith.

RESOLVED: that Section 14, respecting Zoning Application 88-90 for property at 99 Duke Street and 191 Bay Street South, approved by City Council at its meeting held Tuesday, December 13, 1988, reading as follows:

- "14. (a) That approval be given to Official Plan Amendment No. 69 to introduce a 'SPECIAL POLICY AREA' to permit offices for accountants and lawyers within the existing building, and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That approval be given to Zoning Application 88-90, Louis Levy, prospective owner, for a change in zoning from the 'E-3' (High Density Multiple Dwellings) District to 'DE-3' (Multiple Dwellings) District modified, to permit the conversion of the existing multiple dwelling (4 plex) into offices for accountants and lawyers, for lands located at Nos. 99 Duke Street and 191 Bay Street South, as shown on the attached map marked as APPENDIX 'A', on the following basis:
- i) That the subject lands be rezoned from the 'E-3' (High Density Multiple Dwellings) District to the 'DE-3' (Multiple Dwellings) District.



- ii) That the 'DE-3' (Multiple Dwellings) District regulations as contained in Section 10C of Zoning By-law No. 6593, applicable to the subject lands, be modified to provide for the following variances as special requirements:
    - 1) That notwithstanding Section 10C.(1) offices for lawyers and accountants shall be permitted within the existing building;
    - 2) That notwithstanding Subsection 4.(c) of TABLE 1 of Section 18A a minimum of 10 parking spaces shall be required.
  - iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1105, and that the subject lands on Zoning District Map W-5 be notated S-1105;
  - iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-5 for presentation to City Council;
  - v) That the proposed change in zoning will be in compliance with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 69 by the Regional Municipality of Hamilton-Wentworth;
  - vi) That the Approved Durand Neighbourhood Plan be amended by redesignating the subject lands from 'HIGH DENSITY APARTMENTS' to 'COMMERCIAL'.
- (c) That Schedule 'B' to By-law No. 79-275, as amended by By-law No. 87-223 respecting Site Plan Control, be amended by adding the subject lands thereto.
  - (d) That the amending By-law and Official Plan Amendment not be passed by Council until the applicant has applied for and received Site Plan Approval.

#### EXPLANATORY NOTE

The purpose of the By-law is to provide for a change in zoning from the 'E-3' (High Density Multiple Dwellings) District to the 'DE-3' (Multiple Dwellings) District for lands located at Nos. 99 Duke Street and 191 Bay Street South, as shown on the attached map marked as APPENDIX 'A'.

The effect of the By-law is to permit the conversion of the existing multiple dwelling (4 plex) into offices for accountants and lawyers. In addition, a minimum of 10 parking spaces are required."

be reconsidered. - CARRIED.



It was moved by Alderman McCulloch and seconded by Alderman Smith.

RESOLVED: that Section 14 with respect to Zoning Application 88-90 for property at 99 Duke Street and 191 Bay Street South, approved by City Council at its meeting held Tuesday, December 13, 1988, and now being reconsidered, be amended by deleting Sub-section (2) of Sub-Section (ii)(b) of Section 14, reading as follows:

"(2) That notwithstanding Subsection 4.(c) of TABLE 1 of Section 18A a minimum of 10 parking spaces shall be required." - CARRIED.

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It was moved by Alderman McCulloch and seconded by Alderman Smith.

RESOLVED: that Section 14, which is now being reconsidered, BE ADOPTED AS AMENDED. - CARRIED.

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(H) LICENCING COMMITTEE - FIRST REPORT.

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It was moved by Alderman McCulloch and seconded by Alderman Drury.

RESOLVED: that Rule No. 36a(1) (C)1 of Procedural By-law No. 82-203 be suspended for this meeting of City Council in order to permit consideration of the SECOND Report of the Finance Committee. - CARRIED.

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(G) FINANCE COMMITTEE - SECOND REPORT.

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It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting Inadvertent Encroachment Agreements at 73 West Avenue North, and 75 West Avenue North, Hamilton. - CARRIED.

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It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: (a) that the application of Mr. Dan V. Worfolk, Solicitor on behalf of the present owner of 73 West Avenue North to retain the inadvertent encroachment consisting of a concrete step measuring 3.00 feet x 0.50 feet, be approved during the pleasure of Council, provided:

- i. That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
- ii. That a first year fee of \$125.00 and subsequent annual fee of \$20.00 be set for this privilege; and
- iii. That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.

(b) That the application of Mr. Dan V. Worfolk, Solicitor on behalf of the present owner of 75 West Avenue North, to retain the inadvertent encroachment consisting of a concrete step measuring 3.10 feet by 5.00 feet be approved during the pleasure of Council, provided:

- i. That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
- ii. That a first year fee of \$125.00 and subsequent annual fee of \$20.00 be set for this privilege; and
- iii. That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Murray. - 15.

NAYS: 0. - CARRIED.

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It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-3,  
D-3, D-4, D-5 - CARRIED.

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It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Gallagher in the chair.

A-3,  
D-3, D-4, D-5.

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Consideration of the Bills (second reading).

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It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-3,  
D-3, D-4, D-5.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

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It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution re withdrawing of Federal Funds for public housing. - CARRIED.

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It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: that a letter be forwarded to the Federal Minister of Housing strongly disagreeing with the withdrawal of Federal Funding for a public housing project in the City of Hamilton and that copies be forwarded to all area M.P.'s and M.P.P.'s. -



YEAS: Mayor Morrow; Aldermen Kiss, Hinkley, Drury, Copps,  
Christopherson, Smith, Jackson, Gallagher. - 9.

NAYS: 0 - CARRIED.

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City Council adjourned at 9.30 o'clock, p.m.

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REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its SECOND Report for 1989 and respectfully recommends:

- \*1. Approval of the following rate increases effective February 1, 1989 for parking facilities which The Parking Authority of the City of Hamilton manages on behalf of the Corporation.

(a) Underground Parking Garage:

1/2 Hour rate from \$.75 to \$.85  
Daily maximum from \$5.00 to \$6.00  
Flat rate/Special events from \$2.00 to \$3.00

(b) Queen/Hess/Napier (lot 67):

Monthly rate from \$15.00 to \$25.00 (excluding the Firestone parkers who are covered under a separate agreement.)

(c) Bay and Cannon (lot 66):

Monthly rate from \$18.00 to \$30.00 (excluding Navistar parkers who are covered under a separate agreement.)

NOTE: For the information of the Members of City Council these increases are being recommended by the Parking Authority who manage these facilities on the City's behalf. The Parking Authority has advised that the last major change in rates for Municipal Carparks took place almost two years ago. From that time and projecting to the end of 1989 it is expected that the costs of operating will have increased by 18% to 20% for surface parking and from 20% to 25% for the underground structure. These costs are basically for utilities, wages, taxes, and major or ongoing repairs and maintenance.

\* Recorded vote, see page 92



2. That leave be granted to introduce the following Bill:

(b) Bill A-2      A By-law to Confirm the Proceedings of the  
Council of the Corporation of the City of  
Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
CO-ORDINATING COMMITTEE

J. J. Schatz  
Secretary  
1989 January 05  
/bc



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That the Building Commissioner be authorized to issue a demolition permit for the demolition of the following property:
  - (a) 18 Rymal Road West
2. That a purchase order be issued to Weinmann Electric Ltd., Fort Erie in the amount of \$35,738.00 for the INSTALLATION of Lighting Fixtures and Poles for Westdale Village, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in Commercial Improvement Programme; Westdale Village Account #0405-K75205.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: The Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. That a purchase order be issued to Wesco, Hamilton in the amount of \$44,609.19 for the SUPPLY AND DELIVERY of Lighting Fixtures and Poles for Westdale Village, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of four (4) tenders received. Funds provided in Commercial Improvement Programme; Westdale Village Account #0405-K75205.

As this work is to be completed as soon as possible, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

4. That the Corporation of the City of Hamilton accept the sum of \$30,200.00 as cash payment in lieu of the 5% dedication in connection with Severance Application H-150-88 on the east side of Upper Wellington Street between Stone Church Road and Brigade Drive, this being the cash requirement under Section 52 of the Planning Act.



5. That the City of Hamilton accept the sum of \$15,450.00 as cash payment in lieu of 5% dedication in connection with "Eaglewood Manor", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: These lands are located west of Upper Gage Avenue and south of Stone Church Road in the Eleanor Neighbourhood.

6. (a) That APPROVAL be given to subdivision application 88-17, "Blossom Estates," Vincent Citino and John Piano, owners, to establish a draft plan of subdivision, west of the West Fifth Street, north of Stone Church Road East, subject to the following conditions:
- (i) That this approval apply to the plan prepared by A. J. Clarke & Associates, dated 1988 July 27, showing 20 lots, one block (Block "21") for development with adjacent lands and one block (Block "22") as a road widening.
  - (ii) That the owner acquire sufficient land to establish all streets included in the final plan to the full required width, if the required land is not to be established as public highway by City of Hamilton by-law.
  - (iii) That the owner is responsible for the full cost of establishing Street "A" between West Fifth Street and proposed street "B".
  - (iv) That only those parts of the plan to which road access and municipal services are available shall be released for registration.
  - (v) That the streets and street widening (Block "22") be dedicated as public highways on the final plan.
  - (vi) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (vii) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (viii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes.
  - (ix) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (x) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.



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- (xi) That any dead-end or open side of the road allowances created by plan be terminated in 0.3m reserves to be conveyed to the City of Hamilton and to be held by the City until required for the extension of the road allowance or for the development of abutting lands.
  - (xii) That Block "21" be developed only in conjunction with abutting lands.
  - (xiii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (xiv) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
  - (xv) That the owner receive a demolition permit in accordance with the "Rental Control Act" for the rented existing single-family dwelling.
- (b) That a Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-17), Vincent Citino and John Piano, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- (c) That the neighbourhood plan be amended accordingly.
- (d) That street "B" across the City lands and the westerly 10.0m widening of Forbes Street be established by a by-law and the City Solicitor be instructed to prepare the appropriate by-laws.
- 7.(a) That APPROVAL be given to Official Plan Amendment No. 70, to redesignate the subject lands from "Utilities" to "Industrial" and to extend "Special Policy Area 11", and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That APPROVAL be given to City Initiative 88-M to re-establish the "K" (Heavy Industry, etc.) District modified zoning applicable to the lands bounded by Burlington Street East, Oliver Street, Wilfred Street and Wentworth Street, and bounded by Wentworth Street North, Niagara Street and Land Street, shown as "Blocks 1" and "2" on the attached map marked as APPENDIX "A", on the following basis:

- (i) That Schedule "A3" to By-law No. 83-240 be amended by deleting the subject lands shown as Blocks "3" and "4" therefrom; and that the text of By-law 83-240 be appropriately amended;
- (ii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-10, E-11 and E-19 for presentation to City Council;
- (iii) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 70 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of the By-law is to delete the blocks of land bounded by Burlington Street East, Oliver Street, Wilfred Street and Wentworth Street North, Niagara Street and Land Street, shown as Blocks "1" and "2" from Schedule "A3" to By-law No. 83-240.

The effect of the By-law is to repeal the proposed "F-4" (Waterfront Services) District modified zoning on the subject lands (not yet approved), thereby re-establishing the former "K" (Heavy Industry, etc.) District modified zoning.

- \*8. (a) That Hamilton City Council support the Township of Kingston's resolution requesting the Provincial Government to consider the issue of exclusionary zoning in the context of a formal Housing Policy Statement, instead of introducing a separate Bill prior to the finalization of the Housing Policy Statement, attached herewith and marked Appendix "B", and,
  - (b) That the City Clerk inform the Township of Kingston of City Council's decision.
- 9. That APPROVAL be given to Zoning Application 88-76, Commisso and Pobega Limited, owner, for a modification to the established "M-11" (Prestige Industrial) District regulations, to allow a "Garden Centre" as an additional use on the property located at No. 1167 Rymal Road East, as shown on the attached map marked as APPENDIX "C", on the following basis:
  - (a) That the "M-11" (Prestige Industrial) District regulations as contained in Section 17C of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:



- (i) That notwithstanding Section 17C (1)(c) the following additional commercial use shall be permitted:

S.I.C. Identification No.

6522

Commercial Use

Lawn and Garden Centres

- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1106, and that the subject lands on zoning District Map E-59D be notated S-1106;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59D for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the "M-11" (Prestige Industrial) District regulations for property located at No. 1167 Rymal Road East.

The effect of the By-law is to permit a "Garden Centre" as an additional use on the site.

- \* 10. That Zoning Application 88-56, 414028 Ontario Limited, owner, requesting a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to "G-3" (Public Parking Lots) District, for property located at No. 106 and 108 Canada Street as shown on the attached map marked as APPENDIX "D" BE DENIED for the following reason:

- (a) The proposed development is considered to be inappropriate.

11. That APPROVAL be given to Zoning Application 88-89, Norman and Louise Lewis and Robert and Marilyn Mueller, owners, requesting a change in zoning from the "B" (Suburban Agriculture and Residential, etc.) District to the "C" (Urban Protected Residential, etc.) District to permit the creation of two building lots for single-family dwellings, for lands located at the rear of Nos. 66 and 70 Kennedy Avenue as shown on the attached map marked as "APPENDIX "E", on the following basis:

- (a) That the subject lands be rezoned from the "B" Suburban Agriculture and Residential, etc.) District to the "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-9E for presentation to City Council;

- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from the "B" (Suburban Agriculture and Residential, etc.) District to the "C" (Urban Protected Residential, etc.) District for lands located at Nos. 66 and 70 Kennedy Avenue.

The effect of the By-law is to allow for the severance of the subject properties to create two single-family dwelling building lots fronting onto Christie Street.

12. That APPROVAL be given to Zoning Application 88-86 Wellington Chase Inc., owner, for a modification to the "E-2" (Multiple Dwellings) District, for property located on the east side of Upper Wellington Street, south of Stone Church Road East, as shown on the attached map marked as APPENDIX "F", on the following basis:
- (a) That the "E-2" (Multiple Dwellings) District regulations as contained in Section 11B of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements.
    - (i) Notwithstanding the provision of Section 11B(2)(ii) and (iii) of Zoning By-law No. 6593 the maximum height of buildings or structures shall be five stories.
    - (ii) Notwithstanding the provisions of Section 11B(5) of Zoning By-law No. 6593 the density of development shall not exceed 50 units per gross hectare (20 units per gross acre) with respect to multiple dwelling development.
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1107, and that the subject lands on zoning District Maps E-18C and E-18D be notated S-1107;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-18C and E-18D
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
  - (e) That the Barnstown Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to a "Low Density Apartment" land use.



NOTE: The purpose of the By-law is to provide for a modification to the established "E-2" (Multiple Dwellings) District regulations applicable to lands located on the east side of Upper Wellington Street in the area south of Stone Church Road East.

The effect of the By-law is to provide for the following By-law variances as special requirements:

- a) to restrict the maximum height of buildings or structures on the site to five stories whereas a maximum height of eight stories would normally be permitted (Section 11B(2)(ii) and (iii)).
- b) to restrict the density of development on the site to 50 units per gross hectare with respect to multiple dwelling developments.

13. That Zoning Application 88-81, 632734 Ontario Inc., (Benemar Developments), prospective owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations to permit the conversion of the existing single-family dwelling into three condominium units, for lands located at No. 105 Aberdeen Avenue, as shown on the attached map marked as APPENDIX "G", BE DENIED for the following reason:

- (a) The proposed development is inappropriate.

14. That APPROVAL be given to City Initiative 88-J for an amendment to the "M-12", "M-13", "M-14" and "M-15" (Prestige Industrial) District regulations of Zoning By-law No. 6593 on the following basis:

- (a) That Table 4 Commercial Uses of Section 17D, 17E, 17F and 17G of Zoning By-law No. 6593 be further amended by adding to the "M-12", "M-13", "M-14" and "M-15" Districts, the following commercial use:

<u>S.I.C. Identification No.</u>	<u>Commercial Use</u>
7752	Offices of Engineers

- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council.
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a general text amendment to the "M" (Prestige Industrial) District provisions of the Zoning By-law No. 6593.

The effect of the By-law is to amend the list of commercial uses permitted within the "M-12", "M-13", "M-14" and "M-15" Districts, by the addition of the following use identified under the Standard Industrial Classification Code:

S.I.C. Identification No.  
7752

Commercial Use  
Offices of Engineers

15. That APPROVAL be given to City Initiative 87-F to amend the "M-14" (Prestige Industrial) and "M-15" (Prestige Industrial) Districts to delete certain industrial uses which are currently permitted, on the following basis:

- (a) That notwithstanding Section 17F ("M-14" District) the following industrial uses shall be prohibited:

<u>Identification No.</u>	<u>Industrial Use</u>
(i) 3254	Automotive Leaf Spring Manufacturing
(ii) 3259	Automotive Firewalls Manufacturing
(iii) 3561	Primary Glass and Glass Containers
(iv) 3592	Asbestos Products

- (b) That notwithstanding Section 17G ("M-15" District) the following industrial uses shall be prohibited:

<u>Identification No.</u>	<u>Industrial Use</u>
(i) 3259	Automotive Firewalls Manufacturing
(ii) 3561	Primary Glass and Glass Containers
(iii) 3592	Asbestos Products
(iv) 3699	Other Petroleum and Coal Products

- (c) That the amending By-law recognize as legal conforming uses any of the industrial uses listed in recommendation (a)(i) and (ii) in the "M-14" and "M-15" Districts which are existing at the date of the passing of the amending By-law.
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for submission to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



NOTE: The purpose of this By-Law is to provide for a modification to the "M-14" (Prestige Industrial) and "M-15" (Prestige Industrial) Districts, to delete the following industrial uses:

<u>Identification No.</u>	<u>Industrial Uses</u>	<u>District</u>
(a) 3254	Automotive Leaf Spring Manufacturing	"M-14"(Prestige Industrial) District
(b) 3259	Automotive Firewalls Manufacturing	"M-14"(Prestige Industrial) District "M-15"(Prestige Industrial) District
(c) 3561	Primary Glass and Glass Containers Manufacturing	"M-14"(Prestige Industrial) District "M-15"(Prestige Industrial) District
(d) 3592	Asbestos Products	"M-14"(Prestige Industrial) District "M-15"(Prestige Industrial) District
(e) 3699	Other Petroleum and Coal Products	"M-15"(Prestige Industrial) District

16. That APPROVAL be given to City Initiative-86-U providing for a general text amendment to Zoning By-law No. 6593 respecting flea markets on the following basis:

(a) That Section 2 (Interpretation and Definitions) be amended by adding the following new definitions:

(i) "2.2(D)(ia) "Flea market" means a place, building or structure on or in which are situated stands at which trades, calling businesses or occupations are carried on by separate vendors"

(ii) "2.2(D)(via) "Stand" means an area in the flea market at which new or used goods are exposed or offered for sale.

(iii) Renumber subsequent clauses accordingly.

(b) That Section 13B, "G-2" (Regional Shopping Centre) District be amended by adding a "flea market" as a permitted commercial use under a new Section 13B(1)(k);

- (c) That Section 15, "I" (Central Business District, etc.) District be amended by adding a "flea market" as a permitted commercial use under a new Section 15.(1)(viii);
- (d) That a flea market shall be prohibited where it abuts a residential district except in a "G-2" (Regional Shopping Centre) District;
- (e) That a flea market shall be prohibited outdoors.
- (f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for submission to City Council;
- (g) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose and effect of this by-law is to provide for a general text amendment to the Zoning By-law No. 6593;

- (a) to establish definitions of a flea market, and a "stand" and,
- (b) to permit a flea market as a commercial use in the "G-2" (Regional Shopping Centre) District, "I" (Central Business District, etc.) District, "J" (Light and Limited Heavy Industry, etc.) District and "K" (Heavy Industry, etc.) District;
- (c) to prohibit a flea market where it abuts a residential district except in the "G-2" (Regional Shopping Centre) District;
- (d) to prohibit outdoor flea markets.

17. (a) That the proposed Gourley Neighbourhood Plan attached herewith and marked Appendix "H" BE APPROVED by City Council; and,
- (b) That a tree preservation plan be required as part of the process for plan of subdivision for the area designated for larger lots.



-11-

\*18. That leave be granted to introduce the following Bills:

- (a) Bill D-3                      A By-law to amend Zoning By-law No.6593  
respecting land located at 181 Victoria Avenue  
South - new map provided
- (b) Bill D-4                      A By-law to amend Zoning By-law No. 6593  
respecting land located at 12 Ray Street South
- (c) Bill D-5                      A By-law to amend Zoning By-Law No.6593  
respecting Flea Markets

Respectfully submitted

Alderman J. Smith, Chairman  
Planning and Development Committee

Susan K. Reeder  
Secretary  
1988 December 14th

\* Section 18 (c) added during Council

\* Section 10 amended to read:

- 10. That APPROVAL be given in part to Zoning Application 88-80, Mr. L. W. Bertrand, Mr. R. Gallagher and Mr. J. Ferguson, owners, for a change in zoning of Block 1 from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District, for lands located at Nos. 1500, 1514 and 1522 Upper Ottawa Street, as shown on the attached map, on the following basis:
  - a) That the lands described as Block 1 be rezoned from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached District;
  - b) That the City Solicitor be directed to prepare a By-law to Amend Zoning By-law No. 6593 and Zoning District Map E-49D;
  - c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;

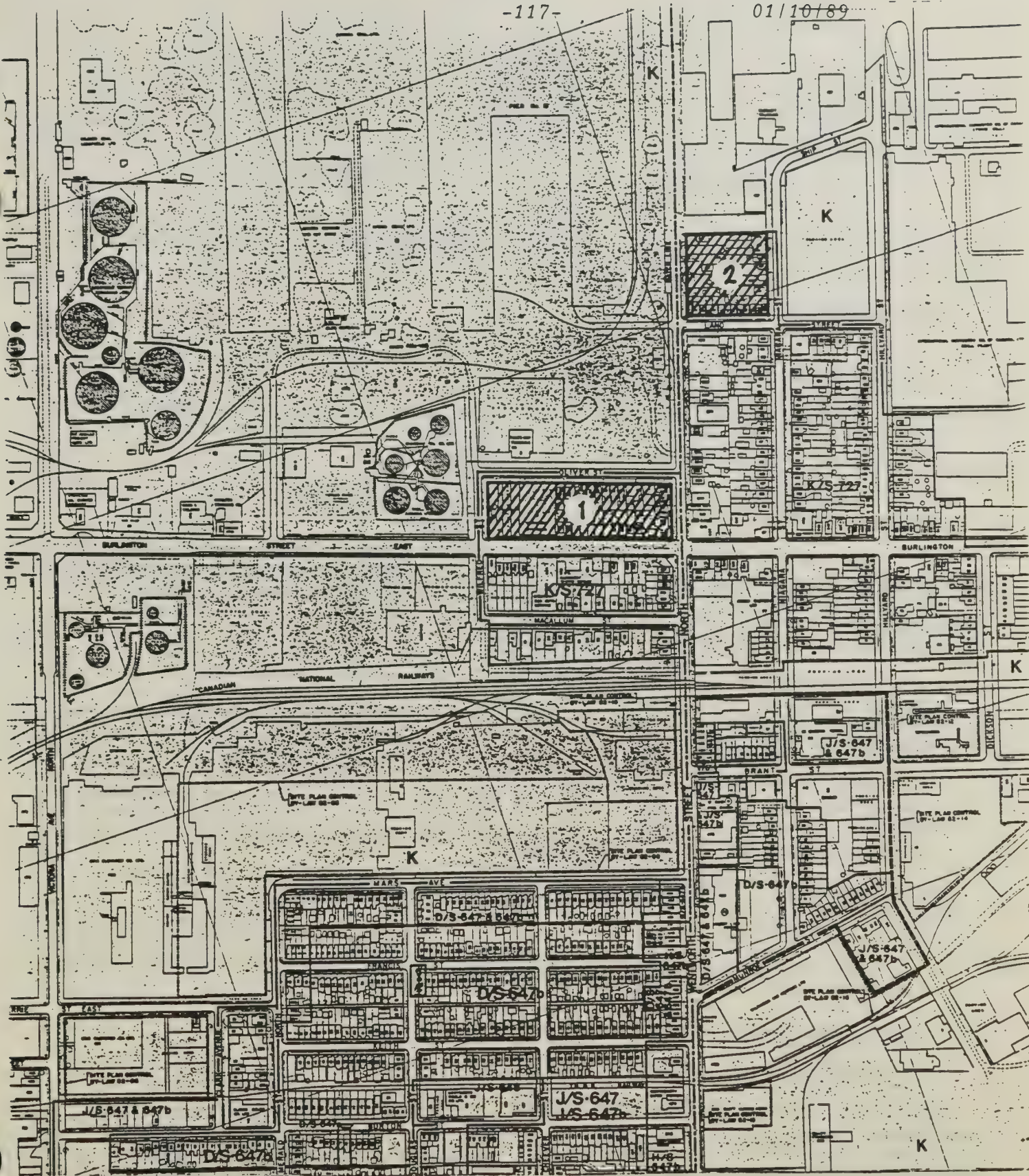
- d) That the Templemead Neighbourhood Plan be amended by redesignating the lands described as Block 1 from 'Attached Housing' and 'Low Density Apartments' to 'Single and Double' residential use.

NOTE: The purpose of this By-law is to provide for a change in zoning of part of the properties located at Nos. 1500, 1514 and 1522 Upper Ottawa Street from 'AA' (Agricultural) District to 'R-4' (Small Lot Single-Family Detached) District.

The effect of the By-law is to permit small lot single-family dwellings.

A decision on the change in zoning from 'AA' (Agricultural) District to 'DE-3' (Multiple Dwellings) District for the lands described as Block 2 will enable the Ward Aldermen to hold a meeting with the area residents and the applicants.





LEGEND.

Blocks 1 & 2



SUBJECT LANDS.

Appendix "A" as referred to in  
Section 7 of the THIRD Report for  
1989 of the Planning and Development  
Committee





Agenda Item No. \_\_\_\_\_

Resolution No. \_\_\_\_\_

# TOWNSHIP OF KINGSTON COUNCIL

## RESOLUTION

November 1st, \_\_\_\_\_ 19 88

Township Administration Building

Moved by Dave FarrowSeconded by L. White

WHEREAS Section 3 of the Planning Act is intended to guarantee wide consultation with appropriate bodies prior to the approval, and implementation, of Provincial Policy statements;

AND WHEREAS a proposed Housing Policy Statement has been released for discussion with comments requested by February 28th 1989;

AND WHEREAS the Province has indicated that it intends to pass legislation regarding Exclusionary Zoning (i.e. amending the Planning Act to prohibit municipalities from using traditional single family occupancy zoning control techniques within neighbourhoods) prior to finalizing the Housing Policy Statement;

AND WHEREAS proceeding with the Exclusionary Zoning matter in this manner is inconsistent with the intent of Section 3 of the Planning Act 1983, especially given the potential relationship between affordable housing and exclusionary zoning;

NOW THEREFORE BE IT RESOLVED that the Province be reminded of the commitment set out in Section 3 of the new Planning Act and requested to consider the matter of Exclusionary Zoning only in the context of a formal Provincial Policy Statement such as the Housing Policy Statement,

AND that a copy of this resolution be forwarded to the Premier, our local member of Provincial Parliament, and the Association of Municipalities of Ontario;

AND that a copy of this resolution be sent to other municipalities with a population over 5,000 with a request for support.

RECORDED VOTE:

CARRIED ☒ TABLED ☐

In Favour    Against    Absent

LOST ☐

Reason: \_\_\_\_\_

I, D.A. GORDON, CLERK OF THE TOWNSHIP OF KINGSTON, HEREBY CERTIFY THIS TO BE A TRUE AND ACCURATE COPY OF A RESOLUTION PASSED BY KINGSTON TOWNSHIP COUNCIL NOVEMBER 1ST, 1988.

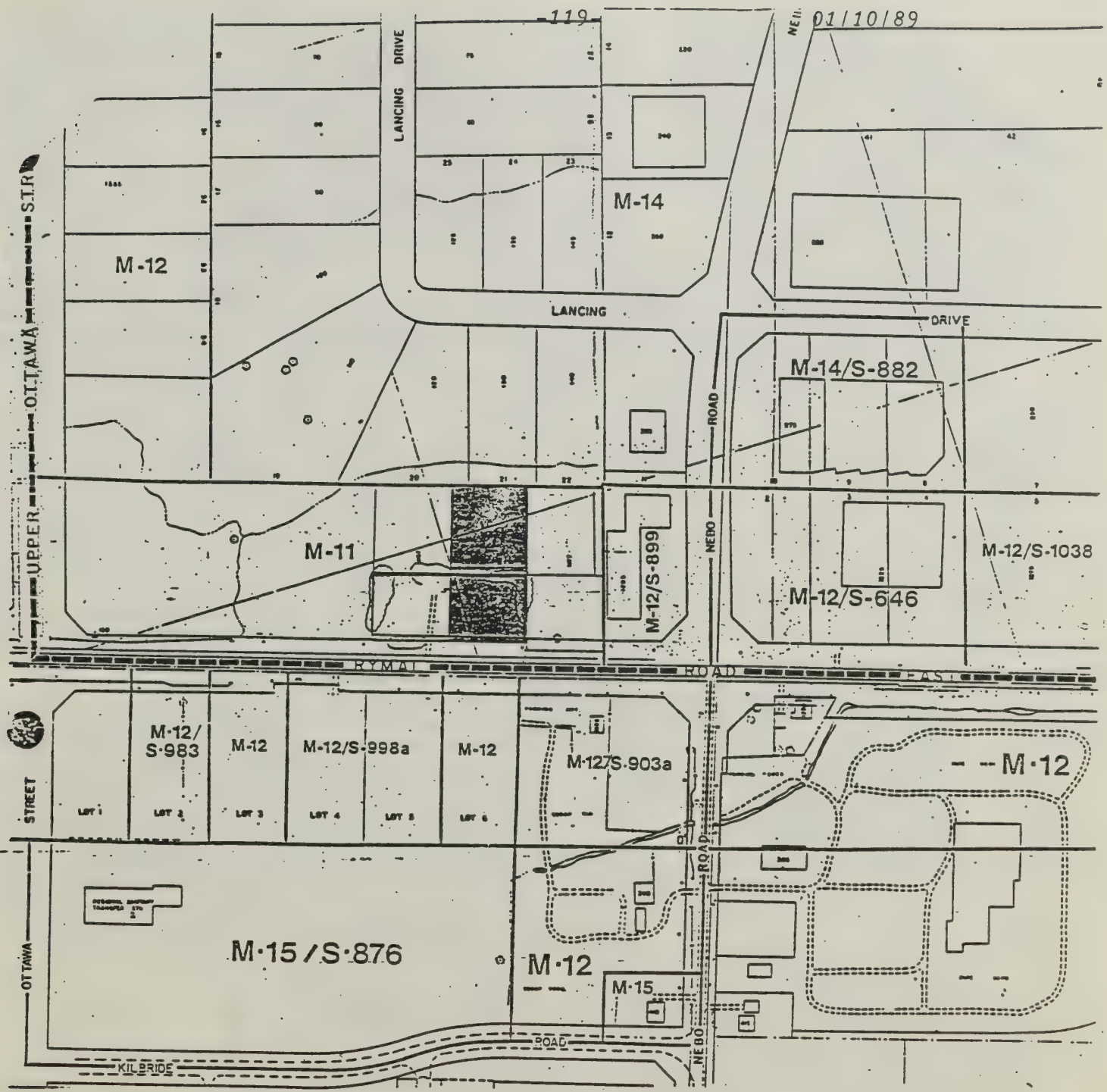
Appendix "B" as referred to in Section 8 of the Third Report for 1989 of the Planning and Development Committee

.....  
D.A. GORDON, A.M.C.T., C.M.C.,  
CLERK

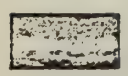
I. Turner

Recve





Legend



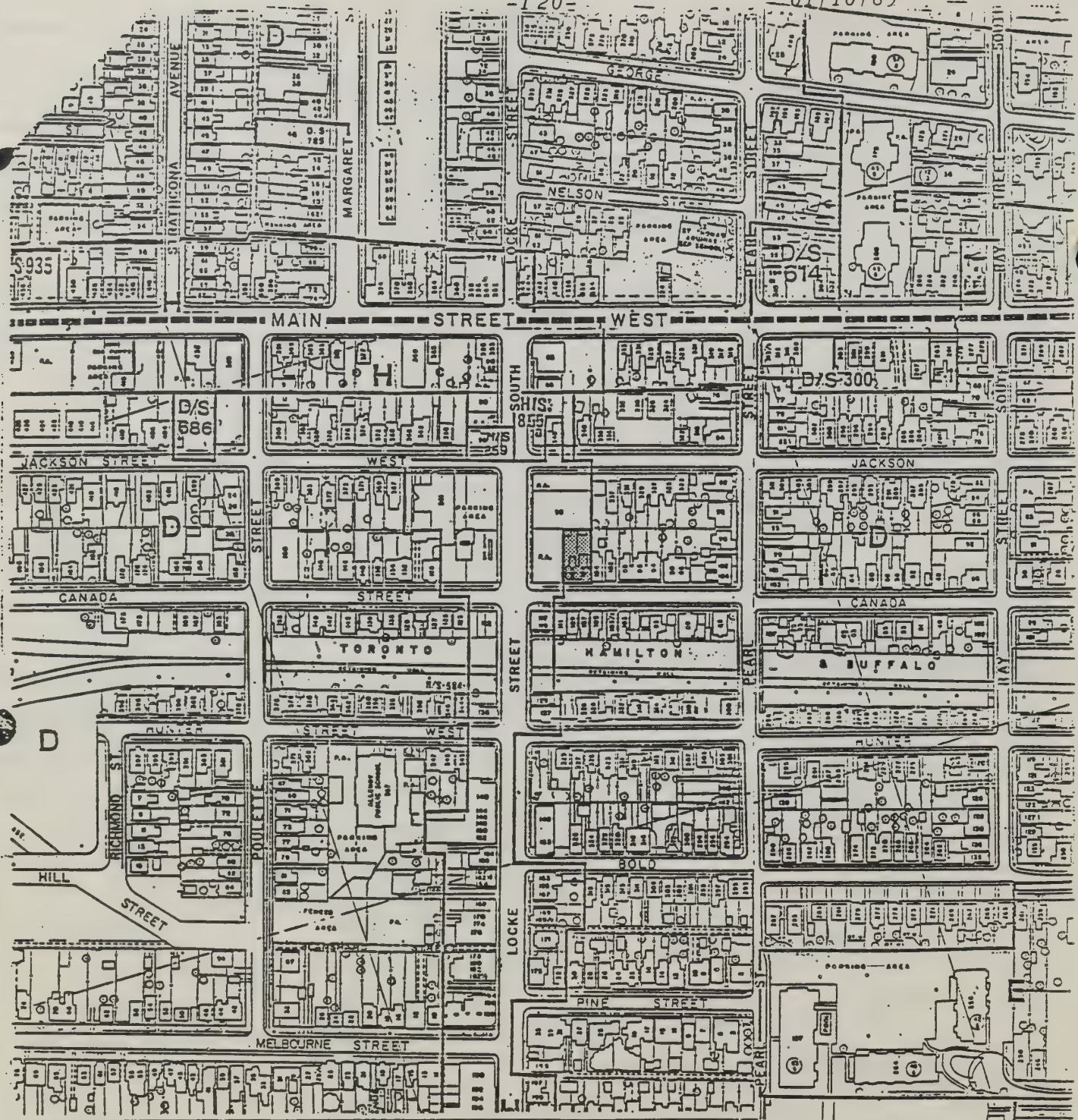
Site of the Application



ZA-88-76

Appendix "C" as referred to in  
Section 9 of the THIRD Report for  
1989 of the Planning and Development  
Committee.

APPENDIX A



LEGEND



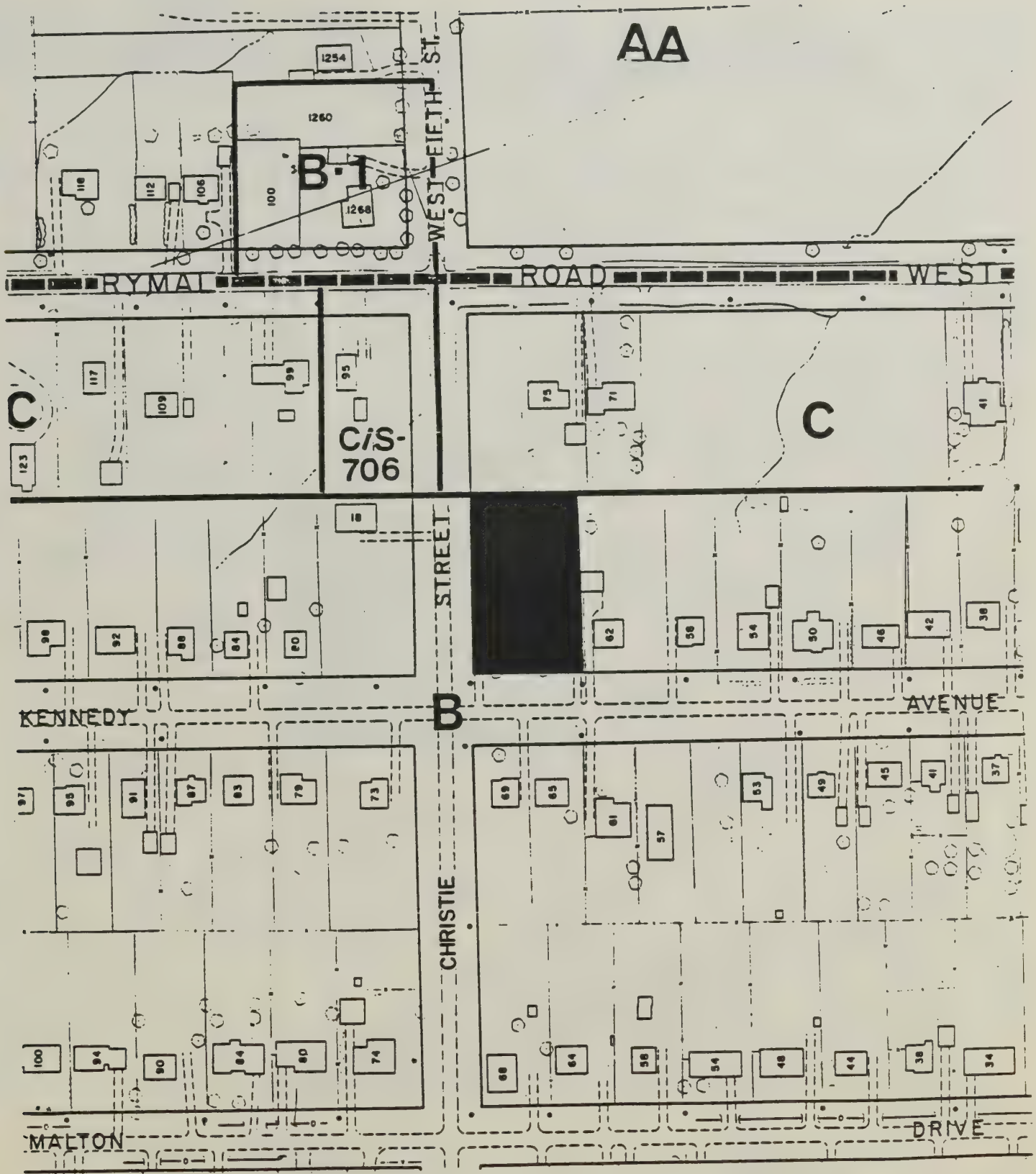
SITE OF THE APPLICATION

ZA-88-56

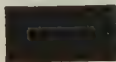
Appendix 'D' as referred to in  
Section 10 of the THIRD Report for  
1989 of the Planning and Development  
Committee.

APPENDIX A



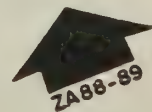


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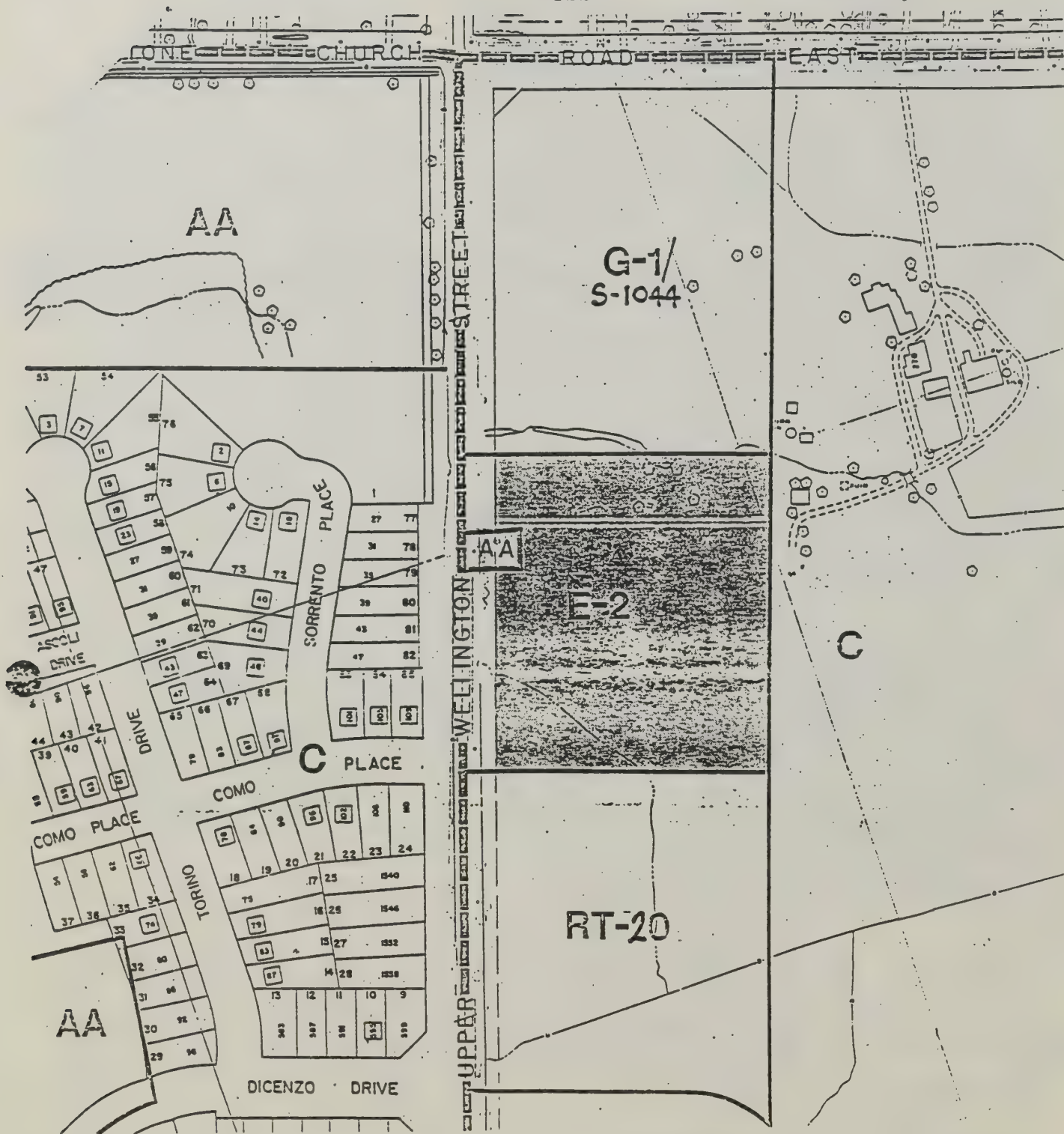


Site of the Applicatic

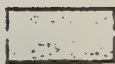
Appendix "E" as referred to in  
Section 11 of the THIRD Report for  
1989 of the Planning and Development  
Committee.



APPENDIX A



Legend



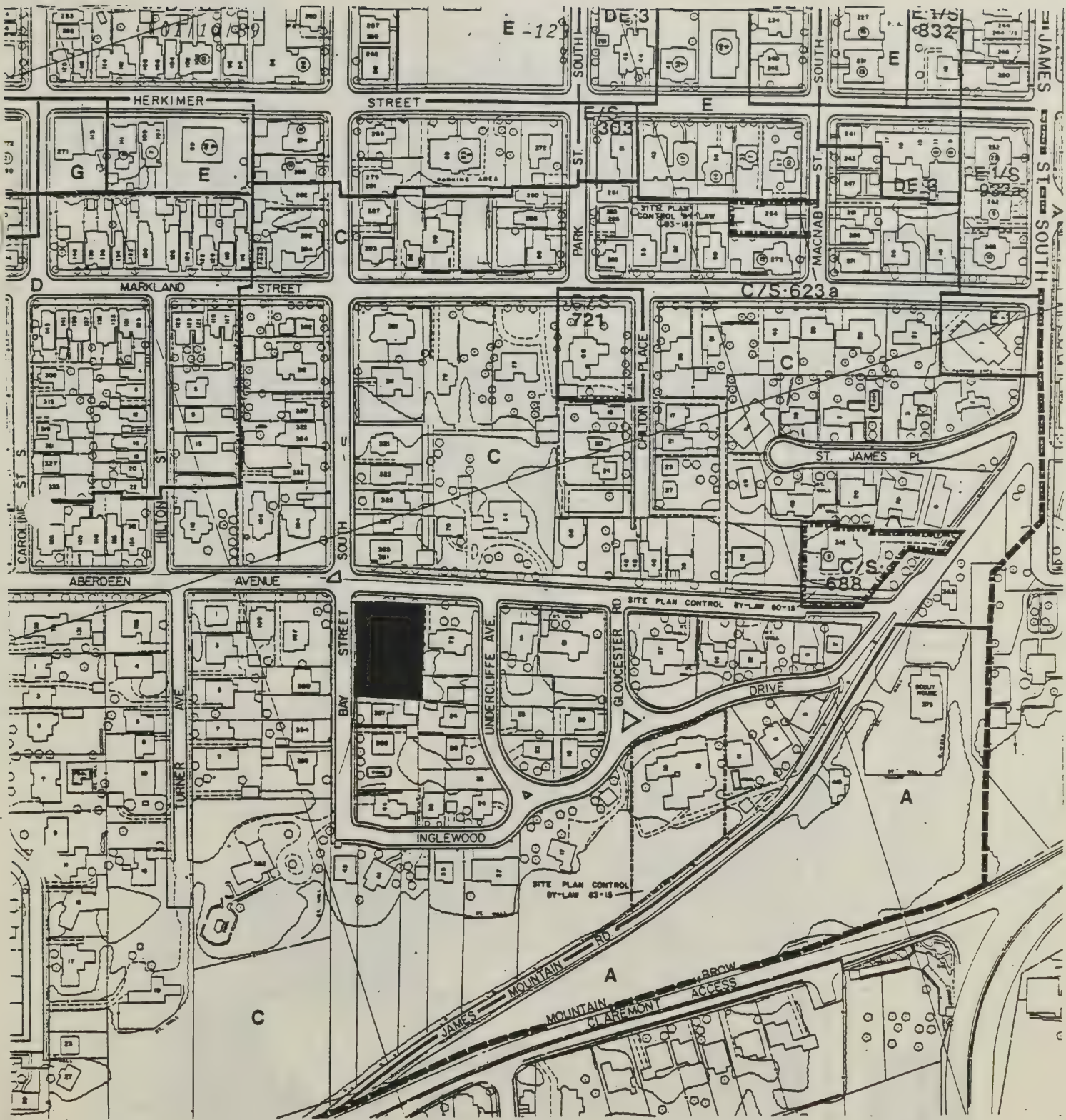
Site of the Application

Appendix "F" as referred to in  
Section 12 of the THIRD Report for  
1989 of the Planning and Development  
Committee.



APPENDIX A

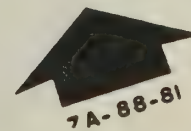




# LEGEND



SITE OF THE APPLICATION



Appendix "G" as referred to in Section 13 of the THIRD Report for 1989 of the Planning and Development Committee.



G.P. INFORMATION (888) 2636

Area Deferred

- Separate School Lands
- Public School Lands
- City Lands
- Area of Larger Lots

SPECIAL ACCESS REQUIREMENTS:  
Approx. 425 (possible driveway  
to internal street.)

NOTE: THIS IS A GUIDE PLAN ONLY AND SUBJECT TO CHANGE.  
FOR DETAILS CONTACT THE LOCAL PLANNING DIVISION OF  
THE REGIONAL MUNICIPALITY OF HAMILTON, WEST WIND

### LAND USE

- RESIDENTIAL**
  - single & double attached housing
  - low density apt.
  - medium density apt.
  - high density apt.
  - commercial & apt.
- COMMERCIAL**
- INDUSTRIAL**
- CIVIC & INSTITUTIONAL**
- PARK & RECREATIONAL**
- OPEN SPACE**
- UTILITIES**

road Boundary

boundary

Development Boundary

proposed street (not)

proposed street (not)

proposed street (not)

proposed street (not)

proposed street (not)

proposed street (not)

proposed street (not)

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proposed street (not)

CITY OF HAMILTON  
PLANNING DEPARTMENT  
**GOURLEY**  
APPROVED PLAN

14/88

14/88

14/88

14/88

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Appendix "H" as referred to in  
Section 17 of the THIRD Report for  
1989 of the Planning and Development  
Committee.

MAP 1



## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance presents its SECOND Report for 1989 and respectfully recommends:

1. That a purchase order be issued to Roy Leggat Ford Sales Ltd., Hamilton, in the amount of \$17 700 plus provincial sales tax at 8% and transfer fee, to purchase one (1) 1988 Lincoln Town Car, in accordance with specifications issued by the Manager of Purchasing and Vendor's proposal.

Note: Only proposal received on a leased Lincoln Town Car. Three were received on new vehicles. Funds provided in Depreciation Account No. 0280-01.

Respectfully Submitted,

Alderman W. M. McCulloch, Chairman  
Finance Committee

John Thompson, Secretary  
1989 January 10

mjw

01/10/89

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its **FIRST** Report for 1989 and respectfully recommends:

1. That the Cab driver's licence application of Harold Kelley, 20 Locke Street North, Hamilton L8R 3A3, be denied.

NOTE: For the information of Members of City Council, Mr. Kelley appeared before the City of Hamilton Licensing Committee at its meeting held 1988 December 14. Information was presented to the Committee, together with the applicant's extensive driving record. After consideration by members of the Committee, it was recommended that the license application be denied.

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON  
CHAIRMAN  
LICENSING COMMITTEE

Stella M. Glover  
Secretary  
1988, December 14

/jc



MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, JANUARY 17, 1989  
7:15 O'CLOCK, P.M.

Special meeting of City Council called at the direction of His Worship  
Mayor Robert M. Morrow.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson,  
Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross.

The Clerk read the notice calling the meeting.

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Ross, and carried, that  
Council move into Committee of the Whole to consider the following Report,  
with Alderman Gallagher in the chair.

\*\*\*\*\*

(C) PARKS AND RECREATION COMMITTEE - SECOND REPORT.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that Rule 36a(1), Subsection (c)1, be suspended for this meeting  
of City Council. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Merling and seconded by Alderman Smith.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be suspended for this meeting  
of City Council in order to permit consideration of a resolution  
dealing with demolition permits. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Merling and seconded by Alderman Lombardo.

RESOLVED: that the Building Commissioner be authorized to issue demolition  
permits for the demolition of the following properties:

- (a) 1411 Upper Sherman Avenue
- (b) 803 King Street West
- (c) 393 Sherman Avenue North

- (d) 141 Walnut Street South
- (e) 872 Upper Wentworth Street
- (f) 2741 King Street East
- (g) 139 Nash Road South
- (h) 141 Nash Road South
- (i) 167 Nash Road South
- (j) 1517 Barton Street East - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that the Report of the Committee of the Whole on the above report, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross - 15.

NAYS: 0 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that the following Bill be now read a first time:

C-1 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Ross, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bill, with Alderman Gallagher in the chair.

C-1.

\*\*\*\*\*

Consideration of the Bill (second reading).

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Ross.

RESOLVED: that the following Bill be now read a third time.

C-1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross. - 15.

NAYS: 0 - CARRIED.

\*\*\*\*\*



City Council adjourned at 7.30 o'clock, p.m.

\* \* \* \* \*

## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its THIRD Report for 1989 and respectfully recommends:

1. (a) That J.L.K. Kiriakopoulos Bros. Ltd., Hamilton, be awarded the contract for the Food Services Concession at Chedoke Golf Course, in accordance with the proposal issued by the Manager of Purchasing and Vendor's submission, for the term of one (1) five (5) year period with no option in favour of the City to extend.

The terms of payment will be \$20,000 in advance annually on the first day of the term of the lease. This annual payment will be increased at a rate of 5% annually. This sum of \$20,000 includes the real property taxes that are assessable to the concessionaire. Because the concessionaire is making an advance payment, he will not be submitting the \$6,000 surety bond that was requested.

J.L.K. Kiriakopoulos Bros. Ltd. is prepared to expend approximately \$30-50,000 in the next five years to upgrade the equipment on site. Upon termination of the contract he is prepared to negotiate a price for the equipment of will remove same.

Mr. John Kiriakopoulos will be responsible for the co-ordination and supervision of the operation.

- (b) That permission be given to J.L.K. Kiriakopoulos Bros. Ltd. to use the facilities on or before execution of the contract to service the Winterfest activities which begin February 1, 1989.
- (c) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Best of five (5) proposals received.

2. (a) That Geraldo's Catering Inc., Hamilton, be awarded the contract for the Food Services Concession at King's Forest Golf Course, in accordance with the proposal issued by the Manager of Purchasing and Vendor's submission, for the term of one (1) three (3) year period with an option in favour of the City to extend for an additional two (2) one (1) year periods.

The terms of payment \$2,025.63 per month for the first thirty-six (36) months, \$2,125.19 per month for the next twelve months, and \$2,225.61 per month for the last twelve months. The last two twelve month terms are the options. The bidder will be submitting a certified cheque as a surety deposit for \$6,000, upon execution of the contract.



01/10/89

- (b) That permission be given to Geraldo's Catering Inc. to use the facilities on or before execution of the contract to service the Winterfest activities which begin February 1, 1989.
- (c) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Best of five (5) proposals received.

- 3. (a) That a purchase order be issued to Bestco Construction Corp., Hamilton, in the amount of \$226,379 for Bernie Arbour Stadium Alteration/Extension, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.
- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest acceptable of seven (7) tenders received. Funds provided in Bernie Arbour Alteration/Extension Accounts #0408-C76456 (\$159,481.79), Special Repairs #0364-8619 (\$38,470.75 overdraft), and Mohawk Sports Stage 6 #0408-C76427 (\$28,426.46).

- 4. That leave be granted to introduce the following Bill:

- (a) Bill C-1      A By-law to confirm proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

RCP/mc

1989 January 17





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, JANUARY 31, 1989  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling,  
Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend E. Robert Yanke, MacNeill Baptist Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow made the following presentations:

- (i) Certificate of Recognition for "McDONALD'S RESTAURANTS OF CANADA, LTD." to Mr. William Johnson, Assistant Vice-President, Director of Operations - Hamilton, and Mr. Steve Jarvis, Owner-Operator, Hamilton McDonald's Restaurant.
- (ii) Proclamation for "JAYCEE WEEK" to Miss Catharine Upton, President, Hamilton Jaycees.
- (iii) Proclamation for "DUET CLUB OF HAMILTON 100TH ANNIVERSARY YEAR" to Miss Olive Poulton, President, Duet Club of Hamilton.
- (iv) Proclamation for "WHITE CANE WEEK" to Mr. Chris Teodoridis, Technical Aids Co-ordinator, C.N.I.B.
- (v) Proclamation for "CABLE TELEVISION MONTH" to Mr. Alex Park, General Manager, Cable 14.
- (vi) Proclamation for "BLACK HISTORY MONTH" to Mrs. Mary Caye Clark, Chairman of the Board of Education, and a few students.
- (vii) Proclamation for "HEART AND STROKE MONTH" to Ms. Shirley Bailey, Communications Chairperson.

The minutes of the meeting of January 10, 1989, were taken as read and approved.

The minutes of the special meeting of January 17, 1989, as amended, were taken as read and approved. The amendment is the addition of a recorded vote on the SECOND Report of the Parks and Recreation Committee.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross. - 14.

NAYS: Alderman Copps. - 1. CARRIED.

\* \* \* \* \*

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Vaughan Graham, 9640 Haldibrook Road, R.R. #2 Caledonia, Ontario, for a change in zoning, property located at 1415 Upper Gage Avenue, dated January 10, 1989.
2. Application from 673833 Ontario Limited, per Farshad Tcharmtchi, President, 191 Wyecroft Road, Oakville, Ontario, for a change in zoning, property located at the rear of No. 1565 Upper James Street, dated January 10, 1989.
3. Application from John Cvetkovic, 6 Mapleside Avenue, Hamilton, Ontario, for a change in zoning, property located at 13 Cannon Street West, dated January 17, 1989.
4. Application from Patran Holdings Ltd., 21 Brockley Drive, Stoney Creek, Ontario, for a change in zoning, property located at 55 Queen Street North, dated January 17, 1989.
5. Application from 583783 Ontario Inc., Doreen and Fritz Stellar, 10 Herkimer Street, Hamilton, Ontario, for modification to the zoning, property located at 10 Herkimer Street, dated January 17, 1989.
6. Application from Hamilton General Homes (1971) Ltd., & Multi-Area Developments Inc., 590 Seaman Street, Stoney Creek, Ontario, for a modification to the zoning, property located on the south side of Stone Church Road East, and east of Upper Ottawa Street, dated January 27, 1989.
7. Letter from Mr. Stephen Clark, President, Association of Municipalities of Ontario, Suite 805, 100 University Avenue, Toronto, Ontario, re the 1989-90 Transfer Payment Announcement and the flat-lining of the unconditional grants programme and the municipal roads assistance programme, dated January 23, 1989.
8. Letter from Mr. David J. Cuming, 309 Jackson St. West, Hamilton, Ontario, re future of Hamilton Museum of Steam and Technology, dated January 30, 1989.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Gallagher in the chair.

\* \* \* \* \*

(A) CO-ORDINATING COMMITTEE - THIRD REPORT.

It was moved by Alderman Ross and seconded by Alderman Murray.

RESOLVED: that Section 7 be amended by adding the following:

"That His Worship Mayor Robert M. Morrow be requested to arrange for a meeting with The Honourable R. Nixon, Provincial Treasurer,



to formally present the City's position with  
respect to Unconditional Grants. - CARRIED.

\*\*\*\*\*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SECOND REPORT.

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that Subsection (b) of Section 16 be amended  
by deleting the word "not" in the first  
line and by adding the following, after the  
word "Drive" in the second line:

"for a six month trial basis, effective  
September 1, 1989, and that the Finance  
Committee be requested to recommend the  
method of financing." - CARRIED.

\*\*\*\*\*

Recorded vote on Section 21.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,  
Hinkley, Drury, Christopherson, Agostino, Lombardo,  
Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

\*\*\*\*\*

The recommendation of the Co-Ordinating Committee on Sections  
29 and 31 was carried.

\*\*\*\*\*

It was moved by Alderman Merling and seconded by Alderman  
Murray.

RESOLVED: that Section 34 be referred back.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch,  
Hinkley, Drury, Copps, Christopherson, Agostino,  
Lombardo, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Aldermen Smith, Jackson. - 2. CARRIED.

\*\*\*\*\*

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting installation of a temporary School Bus Loading Zone on Whitney Avenue, in front of Prince Philip School. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Merling and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 36.

"36. That the Director of Traffic Services be directed to install a School Bus Loading Zone on the south side of Whitney Avenue, in front of Prince Philip School, for the duration of sewer construction on Rifle Range Road." - CARRIED.

\* \* \* \* \*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - THIRD REPORT.

\* \* \* \* \*

(C) PARKS AND RECREATION COMMITTEE - THIRD REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Aldermen Cooke, Kiss. - 2. CARRIED.

\* \* \* \* \*

The recommendation of the Co-ordinating Committee on Sections 9, 11 and 16, was carried.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT.

Recorded vote on Section 2.

YEAS: Mayor Morrow; Aldermen Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 14.

NAYS: Alderman Agro. - 1. CARRIED.

\* \* \* \* \*



01/31/89

The recommendation of the Co-ordinating Committee on Section 5 was carried.

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit the introduction of a Bill respecting land located in the East Harbour and the West Harbour. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that Section 14 be amended by adding the following clause after Subsection (i):

"(j) A By-law respecting lands bounded by Burlington Street East, Oliver Street, Wilfred Street and Wentworth Street, and bounded by Wentworth Street North, Niagara Street and Land Street, and To Amend By-law No. 83-240, Being an Amendment to Zoning By-law No. 6593 Respecting Land Located in the East Harbour and the West Harbour." - CARRIED.

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Lombardo.

RESOLVED: that the following be added as Section 15.

"15. (a) That the Planning and Development Department be requested to establish and carry out a City of Hamilton Mayor's Awards Programme.

(b) That the Planning and Development Department, and the Urban Design Committee, proceed immediately to allow the first award ceremony to take place before the end of April 1989.

(c) That the estimated cost of \$1,200.00 be included in the 1989 Planning and Development Department Budget.

NOTE: The Mayor's Awards Programme will aim to identify, reward and call community attention to well-designed and well-executed projects which create or enhance Hamilton's public spaces." - CARRIED.

(E) LEGISLATION COMMITTEE - SECOND REPORT.

Alderman Drury declared personal interest in, took no part in the debate, and refrained from voting on Sections 11 and 12. He is a member of a Service Club who run a Bingo.

\* \* \* \* \*

It was moved by Alderman Agro and seconded by Alderman McCulloch.

RESOLVED: that Section 13 be referred back.

YEAS: Aldermen Kiss, Agro, McCulloch, Drury. - 4.

NAYS: Mayor Morrow; Aldermen Cooke, Hinkley, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 13. LOST.

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman

RESOLVED: that Section 13 be amended by deleting the word "not" immediately before the words "be approved" in the fourth line. -

YEAS: Mayor Morrow; Aldermen Cooke, Hinkley, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 12.

NAYS: Aldermen Kiss, Agro, McCulloch, Drury, Copps. - 5. CARRIED.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Jackson.

RESOLVED: that Section 14 be amended by deleting the word "discontinued" in the second line, and substituting in lieu thereof the words "be held once every three years in the second year of each Council term." -

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Hinkley, Christopherson, Agostino, Smith, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: Aldermen Kiss, Agro, Drury, Copps, Lombardo, Merling. - 6. CARRIED.

\* \* \* \* \*



It was moved by Alderman Agro and seconded by Alderman Kiss.

RESOLVED: that Section 15 be amended by deleting the name "Alderman G. Copps" and substituting in lieu thereof the name "Mayor R. M. Morrow" on the French Sub-Committee. - CARRIED.

\* \* \* \* \*

Recorded vote on Section 16.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross. - 14.

NAYS: Aldermen Kiss, Drury, Murray. - 3. CARRIED.

\* \* \* \* \*

It was moved by Alderman Christopherson and seconded by Alderman Ross.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution and by-law respecting a freeze on the issuance of Livery Vehicle Licences. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Christopherson and seconded by Alderman Ross.

RESOLVED: that the following be added as Sections 19 and 20.

"19. (a) That Section 1(a)(iii) of the SEVENTH Report of the Legislation Committee, adopted by City Council on May 10, 1988, which provides for a 'freeze' on the issuance of Livery Vehicle Licences, be amended so as to provide for a sixth month freeze only.

(b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law to provide for this sixth month freeze.

20. That leave be granted to introduce the following Bill:

Bill E-3 A By-law Respecting Livery Vehicle Licences." - CARRIED.

\* \* \* \* \*

(F) PERSONNEL COMMITTEE - FIRST REPORT.

\* \* \* \* \*

(G) FINANCE COMMITTEE - THIRD REPORT.

Recorded vote on Section 14.

YEAS: Mayor Morrow; Aldermen Cooke, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 14.

NAYS: Aldermen Kiss, Agro, Copps. - 3. CARRIED.

\* \* \* \* \*

It was moved by Alderman McCulloch and seconded by Alderman Cooke.

RESOLVED: that Section 17 be amended by adding the following, after the word "funding" in the second line of the recommendation:

"in the form of grants." - CARRIED.

\* \* \* \* \*

(I) INFORMATION SYSTEMS COMMITTEE - FIRST REPORT.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the imminent release of a young offender convicted of a triple murder in Scarborough, Ontario, in 1985. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that the Council of The Corporation of the City of Hamilton oppose the release of a young offender convicted of a triple murder in Scarborough, Ontario, in 1985; and

That the Council petition the Ontario Cabinet to inform all Police Forces, Agencies, and individuals of this area having dealings with this young offender, of his identity and other necessary information.



YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 14.

NAYS: Aldermen Kiss, McCulloch, Copps. - 3. CARRIED.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: (a) That the Corporation of the City of Hamilton petition the Federal Government to review the "Young Offenders Act" with a view to making it mandatory for all adolescent offenders, charged with murder, to be tried in Adult Court; and

(b) That a copy of this resolution be forwarded to all municipalities in Canada, with populations of over 50,000, with the request that this resolution be endorsed.

REFERRED TO THE LEGISLATION COMMITTEE.

\* \* \* \* \*

It was moved by Alderman Agostino and seconded by Alderman Lombardo.

RESOLVED: that the resolution respecting the petitioning of the Federal Government to review the "Young Offenders Act" be referred to the Legislation Committee. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman D. Ross be appointed Acting Mayor for the month of February, 1989. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-4, A-5, A-6, A-7,  
B-24, B-25, B-26, B-27, B-28,  
D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13, D-14, D-15,  
E-2, E-3,  
G-1 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Gallagher in the chair.

A-4, A-5, A-6, A-7,  
B-24, B-25, B-26, B-27, B-28,  
D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13, D-14, D-15,  
E-2, E-3,  
G-1.

\* \* \* \* \*

Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-4, A-5, A-6, A-7,  
B-24, B-25, B-26, B-27, B-28,  
D-6, D-7, D-8, D-9, D-10, D-11, D-12, D-13, D-14, D-15,  
E-2, E-3,  
G-1.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\* \* \* \* \*

City Council adjourned at 10.55 o'clock, p.m.

\* \* \* \* \*



REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That Mr. Thomas Radigan, nominee of the Hamilton-Wentworth Roman Catholic Separate School Board, be appointed to the Hamilton Public Library Board for the term ending November 30, 1991.
2. (a) That the 1989 Reconstruction Program in the estimated amount of \$8 200 000, attached hereto as Schedule "A", be approved on the understanding that the net cost to the City after application of the Roadway Subsidy will not exceed \$3 500 000 (of the estimated \$5 330 000 City's share), and that this net cost be financed by the 1989 Capital Levy, Account No. CH 54002-22002.  
  
(b) That the necessary By-laws be prepared by the City Solicitor and the City Clerk be authorized and directed to advertise these By-laws as required by Section 301 of The Municipal Act, outlining the City's intention to proceed with the altering of the following streets:
  - (i) Caroline Street from York Boulevard to Market Street;
  - (ii) East 16th Street from Brucedale Avenue to Fennell Avenue;
  - (iii) Newlands Avenue from Kenilworth Avenue to Cope Street;
  - (iv) Sunninghill Avenue from East 42nd Street to Upper Gage Avenue.  
(c) That the Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton once all necessary approvals have been received.

NOTE: The 1989 Reconstruction Program was approved by the Transport and Environment Committee at its meeting on January 23, 1989.

This project is included in the provisional 1989-1993 Capital Budget and is being recommended for approval at this time prior to approval of the 1989 Capital Budget in order that the Regional Engineering Department may proceed with the preliminary work necessary for the calling of tenders as soon as possible.

3. That the City Solicitor be authorized and directed to make application to have the gross cost authority for the extension of Bow Valley Drive to Queenston Road (OMB No. E860858 dated August 29, 1986) increased from \$377 000 to \$445 000 with no change in the debenture authority previously approved.

NOTE: With the adoption of Section 2 of the FIRST Report of the Co-ordinating Committee, City Council at its meeting on December 13, 1988, approved an increase in this project of \$68 000 from \$377 000 to \$445 000. The December resolution did not however authorize an application to the Ontario Municipal Board to increase the gross cost of the project.

4. (a) That the Director of Property be authorized to proceed with the installation of a Galaxy Sun Controller system as manufactured by Levelor Window Treatment Inc., for the skylight above the Aldermen's Secretarial office area at an estimated cost of \$15 000.  
  
(b) That this cost be financed from the unencumbered balance of funds available (\$18 578) in Account No. 0408-A5-5335-Additions and Alterations (Aldermen's Offices) City Hall.  
  
(c) That the Manager of Purchasing be authorized and directed to obtain three quotations from contractors qualified to carry out the complete installation.

NOTE: The Galaxy System recommended consists of a switch operated (2 per side) gang controlled motorized blinds/slats covering the entire length of the skylight along the south and north elevations.

This installation will eliminate the problem and complaints of glare and excessive heat caused by solar radiation of sunlight penetrating through the unprotected skylight above the Aldermen's Secretarial office area.



5. (a) That the City of Hamilton purchase a 1/4 page ad in the special issue of the Hamilton and District Stroke Recovery Association's "Facts and Information Booklet-All About Stroke & Recovery" at an estimated cost of \$195.00.
- (b) That the cost of this advertisement be financed from Account No. CH 56302-12000, Advertising, City Clerk.

NOTE: The Co-ordinating Committee appreciates that this issue would normally be dealt with by the Legislation Committee, however, this request was received after the meeting of the Legislation Committee and due to time constraints a decision must be made at this time.

6. That subject to appropriate administrative procedures being established, the Members of City Council be authorized to utilize the services of the Youth Employment Centre to secure "FUTURES" participants as a political aid.

NOTE: "FUTURES" is a 100% Provincially funded program which is intended to provide on the job training for participants between the ages of 15 and 24 years.

The placement period varies dependent upon circumstances, however, 16 weeks is generally the time frame, following which it is hoped that the participant will have secured the necessary skills and experience to secure a permanent position.

- \*7. That the Finance Committee be requested to consider the formulation of a resolution for consideration by City Council to petition the appropriate Provincial Minister(s) to review the Unconditional Grants funding for municipalities.

\* Section 7 amended to read:

*That the Finance Committee be requested to consider the formulation of a resolution for consideration by City Council to petition the appropriate Provincial Minister(s) to review the Unconditional Grants funding for municipalities.*

*That Mayor Morrow be requested to arrange for a meeting with the Honourable R. Welsch, Provincial Treasurer, to formally present the City's position with respect to unconditional grants.*

8. That leave be granted to introduce the following Bills:

- (a) Bill A-4      A By-law to Authorize an Additional  
Expenditure for the Construction of a New  
Public Works Yard at or Near Turner Farm on  
Rymal Road East to Serve Districts 3, 4 and 5  
and Mount Hamilton Cemetery.
- (b) Bill A-5      A By-law to Authorize the Erection of an 80  
Foot Salt Dome at the New B.A. Court Yard  
Turner Farm and the Purchase of a TS 150 Terra  
Saeen Screening Plant.
- (c) Bill A-6      A By-law to Authorize Construction of a New  
Traffic Operations Building.
- (d) Bill A-7      A By-law to Confirm the Proceedings of the  
Council of the Corporation of the City of  
Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
CO-ORDINATING COMMITTEE

J. J. Schatz  
Secretary  
1989 January 26  
/bc



01/31/89

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Schedule "A" referred to in Section  
2 of the THIRD Report of the Co-  
ordinating Committee for 1989.

CITY OF HAMILTON

1989 RECONSTRUCTION PROGRAM

PREPARED BY

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

ENGINEERING DEPARTMENT

JANUARY 1989

01/31/89

Schedule "A" referred to in Section  
2 of the THIRD Report of the Co-  
ordinating Committee for 1989.

<u>Contents</u>	<u>Page</u>	<u>Estimated Cost</u>
A. Roads & Abutting Sidewalks	1-4	\$6,540,000
B. Sidewalks Only	5-6	1,604,000
C. Alleys	7	56,000
	TOTAL	<u>\$8,200,000</u>
D. Supplementary List (Projects to be done in 1989 if residual funds are available)	8-10	\$3,414,000



## CITY OF HAMILTON 1989 RECONSTRUCTION PROGRAM

PAGE 1

## A. ROADS &amp; ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Beacon Ave.	Brentwood	Kingslea	295m	8.5m	8.5m	\$224,000	- road reconstruction - sidewalk reconstruction and - repair - both sides
Brentwood Dr.	Idlewood	Beacon	810m	8.5m	8.5m	\$609,000	- road reconstruction - sidewalk reconstruction and - repair - both sides
Caroline St.	Bold	Herkimer	437m	8.5m	8.5m	\$326,000	- road reconstruction - sidewalk reconstruction and - repair - both sides - in conjunction with storm sewers
Caroline St.	York	Market	163m	6.7m	9.0m	\$129,000	- road reconstruction and widening to 9.0m - sidewalk reconstruction - both sides - in conjunction with storm sewers
Clinton St.	Sherman	Lottridge	392m	7.7m	7.7m	\$283,000	- road reconstruction - sidewalk reconstruction and - repair - both sides - in conjunction with storm sewers
East 13th St.	Callie	South Bend	176m	8.6m	8.6m	\$120,000	- road reconstruction - sidewalk reconstruction and - repair - both sides - in conjunction with storm sewers

A. ROADS & ABUTTING SIDEWALKS (CONT'D.)

PAGE 2

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
East 15th St.	Callie	Howe	186m	8.5m	8.5m	\$120,000	- road reconstruction - sidewalk reconstruction and repair - both sides - in conjunction with storm sewers
East 27th St.	Fennell	Burkholder	680m	8.5m	8.5m	\$533,000	- road reconstruction - sidewalk reconstruction - both sides
Empress Ave.	U. James	East 6th	400m	9.3m	9.3m	\$292,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Frid St.	Chatham	North End	511m	9.1m	9.1m	\$450,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Houghton Ave.	King	Lawrence	100m	8.5m	8.5m	\$ 94,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Idlewood Ave.	Brentwood	Kingslea	320m	8.5m	8.5m	\$250,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Kensington Ave.	Barton	Cannon	430m	8.4m	8.4m	\$224,000	- road reconstruction - sidewalk repair - both sides

## PAGE 3

## A. ROADS &amp; ABUTTING SIDEWALKS (CONT'D.)

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Kensington Ave. King		Montclair	450m	7.3m	7.3m	\$228,000	- road reconstruction - sidewalk repair - both sides - 1988 carry over
Kingslea Dr.	Idlewood	Beacon	816m	8.5m	8.5m	\$657,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Macassa Ave.	U. Sherman	U. Gage	760m	8.5m	8.5m	\$583,000	- road reconstruction - sidewalk reconstruction and repair - both sides
Mapleside Ave.	Aberdeen	Glenfern	250m	7.4m	7.4m	\$122,000	- road reconstruction - sidewalk reconstruction and repair - both sides - 1988 carry over
Paling Ct.	Dunsmure	South End	160m	8.5m	8.5m	\$123,000	- road and curb reconstruction
Park Row S.	King	Lawrence	350m	9.1m	9.1m	\$427,000	- road reconstruction - sidewalk reconstruction both sides
Spruceside Ave.	Aberdeen	Glenfern	240m	7.3m	7.3m	\$105,000	- road reconstruction - sidewalk repair - both sides - 1988 carry over



01/31/89

Schedule "A" referred to in Section  
2 of the THIRD Report of the Co-  
ordinating Committee for 1989.

PAGE 4

A. ROADS & ABUTTING SIDEWALKS (CONT'D.)

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Steven St.	King	Cannon	417m	7.3m	7.3m	\$274,000	- road reconstruction - sidewalk reconstruction - both sides - in conjunction with storm sewers
Viceroy Ct.	Callie	South Bend	175m	8.5m	8.5m	\$118,000	- road reconstruction - sidewalk reconstruction and repair - both sides - in conjunction with storm sewers
Wexford Ave.	Roxborough	Main	350m	7.4m	7.4m	\$249,000	- road reconstruction - sidewalk reconstruction and repair - both sides

## CITY OF HAMILTON 1989 RECONSTRUCTION PROGRAM

B. SIDEWALKS ONLY

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Side</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Brock St.	Mary	John	175m	South	\$ 31,000	- sidewalk reconstruction
Glen Rd.	Macklin	Tope	200m	South	\$ 37,000	- sidewalk reconstruction
Glen Road	Macklin	60m easterly	60m	North	\$ 12,000	- sidewalk reconstruction
Hunter St.	Locke	Richmond	280m	Both	\$ 64,000	- sidewalk reconstruction and repair
King St.	Walnut	Main (Delta)	4,185m	Both	\$700,000	- sidewalk reconstruction in conjunction with Region's road reconstruction
Linden St.	Cavell	Lincoln	160m	South	\$ 32,000	- sidewalk reconstruction
Main St.	West City Limits	Whitney	650m	Both	\$ 90,000	- sidewalk reconstruction and repair - both sides in conjunction with Region's road reconstruction

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B. SIDEWALKS ONLY (CONT'D.)

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Side</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Main St.	Macklin	James	2358m	Both	\$357,000	- sidewalk reconstruction - in conjunction with Region's road reconstruction
Ninth Ave.	U. Gage	U. Ottawa	1625m	Both	\$281,000	- sidewalk reconstruction and repair



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Schedule "A" referred to in Section  
2 of the THIRD Report of the Co-  
ordinating Committee for 1989.

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CITY OF HAMILTON 1989 RECONSTRUCTION PROGRAM

C. ALLEYS

<u>Streets Between</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Sanford and Arthur	King	Alkman	240m	\$ 56,000	- reconstruct

D. SUPPLEMENTARY LIST  
ROADS AND ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Millen Ave.	Empress	Bruceedale	128m	7.4m	7.4m	\$ 92,000	- road reconstruction - sidewalk reconstruction - both sides
East 5th St.	Empress	Bruceedale	130m	7.7m	7.7m	\$ 94,000	- road reconstruction - sidewalk reconstruction - both sides
East 6th St.	Empress	Bruceedale	130m	6.7m	6.7m	\$ 83,000	- road reconstruction - sidewalk reconstruction
Arcade Cres.	Inverness	South End	180m	9.3m	9.3m	\$128,000	- road reconstruction - sidewalk and curb reconstruction
Gateview Dr.	West 5th	Arcade	135m	9.2m	9.2m	\$104,000	- road reconstruction - sidewalk and curb reconstruction
Newlands Ave.	Kenilworth Cope		330m	7.3m	8.5m	\$290,000	- road reconstruction and widening to 8.5m, 0.6 each side - sidewalk reconstruction - both sides
Thorndale St.	Main	Glenmount	162m	7.5m	7.5m	\$120,000	- road reconstruction - sidewalk reconstruction and repair - both sides

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Schedule "A" referred to in Section  
2 of the THIRD Report of the Co-  
ordinating Committee for 1989.

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D. SUPPLEMENTARY LIST (CONT'D.)  
ROADS AND ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Norfolk St.	Sanders	Glenmount	420m	7.4m	7.4m	\$281,000	- road reconstruction - sidewalk reconstruction and - repair - both sides
Kingsmount St.	Sanders	Glenmount	350m	7.4m	7.4m	\$229,000	- road reconstruction - sidewalk reconstruction and - repair - both sides
Hollywood St.	Sanders	Glenmount	380m	7.4m	7.4m	\$160,000	- road reconstruction - sidewalk reconstruction and - repair - both sides
Glenmount Ave.	Kingsmount	Leland	307m	7.5m	7.5m	\$230,000	- road reconstruction - sidewalk reconstruction and - repair - both sides
East 16th St.	Bruce Dale	Fennell	220m	7.4m	8.5m	\$159,000	- road reconstruction and - widening, 0.55m each side - sidewalk reconstruction - both sides
East 18th St.	Fennell	Vickers	410m	8.5m	8.5m	\$291,000	- road reconstruction - sidewalk reconstruction and - repair - both sides



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Schedule "A" referred to in Section 2 of the THIRD Report of the Coordinating Committee for 1989.

D. SUPPLEMENTARY LIST (CONT'D.)  
ROADS AND ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Franklin Rd.	U. Sherman	420m westerly	420m	8.5m	8.5m	\$314,000	- road reconstruction - sidewalk reconstruction - both sides
Holly Ave.	Beach	McAnulty	195m	7.3m	8.5m	\$152,000	- road reconstruction; widening to 8.5m - 1.2m east side only
Sunninghill Ave.	U. Gage	U. Ottawa	830m	8.5m	8.5m	\$687,000	- road reconstruction and realignment at East 41st Street - sidewalk reconstruction and repair - both sides

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SECOND Report for 1989 and respectfully recommends:

1. That purchase orders be issued for Annual Supplies for the Public Works Department as and when required during 1989, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

CHEMICALS

General Chemicals, Mississauga

1. Flake Calcium Chloride - \$0.3210/kg
2. Liquid Calcium Chloride - \$0.120/litre, minimum 13,500 litres  
\$0.141/litre, minimum 8,000 litres
- Split loads additional \$62.40/drop off
- Pallet deposit \$20.00/ea.

NOTE: 1. Lowest of four (4) tenders received  
2. Lowest of two (2) tenders received

CONCRETE

Delta Ready Mix Limited, Hamilton

Supplied and delivered in supplier's trucks within City/Regional Limits  
Sidewalk/Curb/Concrete - \$99.00/m<sup>3</sup>  
2% Calcium Chloride - \$2.00/m<sup>3</sup>

Picked up by City/Regional trucks at supplier's plant  
Heat November 1 - April 15 - \$6.50/m<sup>3</sup>  
Sidewalk/Curb/Concrete - \$89.00/m<sup>3</sup>

Cost for multiple dropoff load \$60 after 1st hour

Dufferin Concrete Products, Hamilton

Unshrinkable fill - Delivered and Picked up - \$54.95/m<sup>3</sup>

After 5:00 p.m. and before 9:00 p.m. add \$ 8.00/m<sup>3</sup>

After 9:00 p.m. and before 7:30 a.m. add \$16.00/m<sup>3</sup>

Underload charges 1 m<sup>3</sup> - \$120.00

2 m<sup>3</sup> - \$ 80.00

3 m<sup>3</sup> - \$ 50.00

4 m<sup>3</sup> - \$ 30.00

AGGREGATES

Lakeview Sand & Gravel, Paris

1. Granular 'A' and 19mm Crusher Run - \$7.07 metric tonne

Taro Aggregates, Hamilton

2. 19mm Blend and Clear - \$8.78 metric tonne

Steetley Lime & Aggregates, Dundas

3. 19mm Blend and Clear - \$9.75 metric tonne
4. 9.5mm and 6.4mm Chips Washed - \$11.80 metric tonne

National Slag Ltd., Hamilton

5. Granular 'A' Slag - \$9.93 metric tonne
- 19mm Crusher Run Slag - \$10.49 metric tonne
- 19mm Slag - 10.93 metric tonne

- NOTE:
1. Lowest of six (6) tenders received
  2. Lowest of four (4) tenders received
  3. Second lowest of four (4) tender received. To be used when location of contractor's plant is closer to job site.
  4. Lowest of two (2) tenders received
  5. Only tender received

ASPHALT

Loaded on City Trucks at Contractor's Plant - Supplier will be chosen on the basis of low bidder first then location of Contractor's plant to job site. Price per tonne April 15 to December 31, 1989

Taro Aggregates, Hamilton

Sand Sheet Asphalt Surface Course - \$43.25  
Stone Filled Sheet Asphalt Surface Course HM3 - \$42.15  
Stone Filled Sheet Asphalt Surface Course HM3 Fine - \$45.25  
Asphalt Binder Course HM5 - \$37.10  
Liquid Asphalt Cement - \$1.25 litre  
Pricing based on liquid asphalt being \$188/tonne. Adjustments will be made to reflect adjustments to this base price.

Red-D-Mix Concrete, Hamilton

Sand Sheet Asphalt Surface Course - \$47.50 East & West Plants Apr. 15-  
Dec. 31 \$57.50 Mar. 1-Apr. 15  
Steel Slag Asphalt - \$45.50 Apr. 15-Dec. 31  
\$53.85 Mar. 1-Apr. 15  
Stone Filled Sheet Asphalt Surface Course HM3 - \$45.65 East & West Plants  
\$49.60 Nebo Road Plant  
Apr. 15- Dec.31 \$59.00  
Mar. 1-Apr. 15



Stone Filled Sheet Asphalt Surface Course HM3 Fine - \$47.65 East & West  
Plants" \$41.60 Nebo  
Road Plant \$60.25  
Mar. 1-Apr. 15

Asphalt Binder Course HM5 - \$38.75 East & West Plants  
\$35.15 Nebo Road Plant Apr. 15-Dec. 31  
\$50.85 Mar. 1-Apr. 15

Liquid Asphalt Cement - \$1.05 litre Apr. 15-Dec. 31  
\$1.10 litre Mar. 1-Apr. 15

Cayuga Materials, Cayuga

Sand Sheet Asphalt Surface Course - \$48.38  
Stone Filled Sheet Asphalt Surface Course HM3 - \$39.75  
Stone Filled Sheet Asphalt Surface Course HM3 Fine - \$44.95  
Asphalt Binder Course HM5 - \$35.25  
FOB Contractor's Plants

Norjohn Limited, Thorold

MTC Primer in tank trucks, delivered - \$0.3363  
Cationic Asphalt Emulsions CRS1 & 2 delivered - \$0.2804  
CRS2 picked up - \$0.2660

Hydrotech Membrane Corp., Richmond Hill

Crack Sealing Material - \$787.93 per tonne

2. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton), Hamilton for parking enforcement services for 1989, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

	<u>Hourly Rate</u>
Sergeant	\$9.72
Corporal	9.23
Commissionaire	8.82

NOTE: This represents a 4% increase over 1988 rates. Funds provided in Traffic By-Law Enforcement, Contractual Account #0345-0319.

3. That the City exercise its option to extend the existing agreements with various companies as listed in the following reports, for the rental of snow removal equipment and labour:

Section 2 & 3 of the 10th report of the T & E Committee  
and approved by Council on June 28, 1988 and

Section 2 of the 13th report of the T & E Committee  
and approved by Council on September 27, 1988

NOTE: All tenders are being accepted on the basis of the lowest bidder's equipment being used first and then the subsequent bidders are contacted as required.

4. (a) That Golder Associates (Mississauga) be retained to undertake the geotechnical investigation on the site on Upper Ottawa Street north of Stone Church Road, at an initial cost of \$11 375; and
- (b) That additional investigations, as may be recommended by the soils consultant, be authorized with the total study cost not to exceed \$30 000.

NOTE: Lowest acceptable quotation of three proposals received. Funds are provided in Account No. 0280-27, Reserve for Capital Projects.

5. (a) That no action be taken to develop the former Hill Street Public Works Yard for residential housing in view of the presence of methane gas.
  - (b) That the former Hill Street Public Works Yard Property be designated as parkland and placed under the jurisdiction of the Parks Division of the Public Works Department in accordance with the recommendation of the Hydrology Consultants "Gore & Storrie Limited", who were retained by the City to give expert technical advice.
  - (c) That the Parks and Recreation Committee be requested to consider the former Hill Street Public Works Yard as a priority for Park development in 1989.
6. (a) That the City of Hamilton discontinue supplying potable water to rural areas; and
  - (b) That the residents be notified 1 month in advance of the discontinuance of water deliveries.

NOTE: i. the delivery of water costs the City of Hamilton approximately \$25 280 to service approximately 18 residences

ii. not all of the revenue from the delivery of the potable water is readily forthcoming from these residents

iii. other local area municipalities do not get involved with the delivery of potable water to rural residences

7. (a) That the message "Don't Be Slow.....Clear Your Snow" be added to the annual City of Hamilton property tax notices, to improve the notification that homeowners in the City of Hamilton are required to clear the snow from the sidewalks adjacent to their property.
- (b) That all charges are to be listed on the property taxes in the spring immediately following the winter season, to assist in notifying property owners when charges have been assessed to their properties.

NOTE: Previously, the practice was to accumulate all charges during the calendar year and assess the charges to the property taxes in the subsequent year. Accordingly, an entire 12 months or more could elapse prior to the charge being assessed to the taxes.

Staff has been directed to come back to the Transport and Environment Committee with a recommendation on an improved procedure for notifying homeowners that failure to remove snow from the sidewalks before the work is done by the City and charges assessed to their properties.

8. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and 568434 Ontario Inc. for the collection of garbage at 1255 Upper Gage Avenue, Hamilton.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.

9. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Victoria Park Community Homes Inc. for the collection of garbage at 525 Stone Church Road East.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.

10. (a) That three-way stop control be implemented at the intersection of Kingswood Drive and Glen Vista Drive; and
- (b) That a three-way stop control be implemented at the intersection of Willowcrest Avenue and Bowman Street; and



- (c) That a stop sign be erected to control westbound traffic on Federal Street at Berkindale Drive; and
  - (d) That westbound traffic on Ruby Street be required to stop for northbound and southbound traffic on Rushdale Drive; and
  - (e) That three-way stop control be implemented at the intersection of Green Cedar Drive and Guildwood Drive; and
  - (f) That a yield sign be erected to require that westbound traffic on MacKenzie Road yield to traffic on East 27th Street; and
  - (g) That a stop sign be erected on Huron Street at Stirton Street such that the intersection is controlled by a three-way stop; and
  - (h) That City Traffic By-law 66-100 be amended accordingly.
- 11.
- (a) That Council correspond with the Minister of Transportation making reference to the resolution of 1986 and requesting that action be taken to revise the Highway Traffic Act to require that cyclists be required to identify themselves to police officers, for the enforcement purposes; and
  - (b) That the Regional Police Department be requested to increase enforcement at the stop signs on Sterling Street at Forsyth Avenue, Dalewood Avenue and Haddon Avenue; and
  - (c) That a copy of the staff report respecting this item be forwarded to Dr. A. E. Lee, President and Vice-Chancellor of McMaster University.
- 12.
- (a) That a "Thirty Minute Parking Time Limit" regulation to be in effect 24 hours a day, 7 days a week, be implemented on the west side of Aurora Street commencing at a point 59 feet north of Charlton Avenue and extending to a point 20 feet northerly therefrom; and
  - (b) That a "No Parking" regulation be implemented on the south side of Tivoli Drive, between San Remo Drive and the westerly end; and
  - (c) That a parking prohibition be implemented on the south side of Heather Road between Woodman Drive and Sunrise Drive; and
  - (d) That stopping be prohibited on the south side of Berko Avenue commencing at a point 26 feet west of the west curb line of Baroque Street and extending to a point 82 feet east of the east curb line of Baroque Street; and

- (e) That a "Three Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week be implemented on the east side of Ray Street South between Canada Street and Jackson Street West; and
  - (f) That a "One Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week be implemented on both sides of Devonport Street between Tom Street and York Boulevard; and
  - (g) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Tom Street between Strathcona Avenue and Dundurn Street; and
  - (h) That, in combination with the existing Alternate Side Parking regulation, a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday, to Saturday" regulation be implemented on both sides of West Avenue North between Robert Street and Cannon Street; and
  - (i) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit" regulation to be in effect 24 hours a day seven days a week, be implemented on Emerald Street North between Wilson Street and King William Street; and
  - (j) That the existing "No Stopping Anytime" regulation be changed to a "No Stopping 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Homewood Avenue along the flankage of Earl-Kitchener Public School; and
  - (k) That a parking prohibition be implemented on the south side of Franklin Avenue between the east curb line of the south leg of Parkview Drive and a point 106 feet easterly therefrom; and
  - (l) That a parking prohibition be implemented on the east side of south leg of Parkview Drive between Franklin Avenue and a point 56 feet southerly therefrom; and
  - (m) That unrestricted free parking be restored to the north side of Franklin Avenue between the west curb line of the north leg of Parkview Drive and a point 70 feet westerly therefrom; and
  - (n) That City Traffic By-law 66-100 be amended accordingly.
13. (a) That stopping be prohibited on the north side of Limeridge Court between Bonaventure Drive and a point 36 feet westerly therefrom; and
- (b) That the existing stopping prohibition on the south side of Aikman Avenue South between Wentworth Street South and a point 30 feet easterly therefrom be extended, such that the prohibition extends to a point 56 feet east of Wentworth Street South; and

- (c) That stopping be prohibited on the north side of Brucedale Avenue East between Millen Avenue and a point 52 feet easterly therefrom; and
  - (d) That City Traffic By-law 66-100 be amended accordingly.
14. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first six applicants residing in the apartment building at No. 3 Sterling Street.
15. (a) That a "Permit Parking" regulation be implemented on the east side of Province Street North, commencing at a point 62 feet north of Cannon Street and extending to a point 20 feet northerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to Mr. John Lavenuik, 180 Province Street North; and
- (c) That City Traffic By-law 66-100 be amended accordingly.
16. (a) That a School Traffic Officer be assigned to the intersection of Sherman Avenue South and Cumberland Avenue during the morning and evening crossing periods only.

NOTE: Sufficient funds have been provided in the 1989 budget estimates to cover the costs of assigning a traffic officer to this location for the remainder of 1989.

- \* (b) That a School Traffic Officer not be assigned to the intersection of Greenhill Avenue and Hildegard Drive.

NOTE: ITEM 16 (b) LOST ON A TIE VOTE AT THE TRANSPORT AND ENVIRONMENT COMMITTEE AND IN ACCORDANCE WITH POLICY IS BEING FORWARDED TO CITY COUNCIL.

17. (a) That approval be given for the 1989 Street Lighting Capital Program in the amount of \$271 000 as proposed by Hamilton Hydro; and
- (b) That Hamilton Hydro be instructed to proceed with the system modifications.

NOTE: Items approved as part of the 1989 Capital Program are included in the City's 1989 Current Budget - Electrical, Streetlighting, Account No. 0352-1019.

\* Section 16(b) amended, see page 172



18. (a) That the following changes be made in the charges per tonne of overload:

## PER METRIC TONNE

<u>Type of Vehicle</u>	<u>Current Charge</u>	<u>Proposed Charge</u>	<u>% Increase</u>
Tractor Trailer	\$ 99	\$116	17
Single Unit Truck	\$165	\$193	17

- (b) That the annual overload permit fees be reviewed each year.
19. (a) That in accordance with By-law 66-100, that K's Transport Inc. be given an Annual Overload Permit for the year 1989 for ten (10) tractor-trailers for a total fee of \$11 948; and
- (b) That 11%, or \$1 314.28, be credited to City Account No. 0310-0121 (Overload Permit Fees), and that 89%, or \$10 633.72, be credited to Regional Account No. 0308-7610.
20. (a) That the City Solicitor be directed to prepare a By-law for the stopping up, closing and sale of the easterly portion of the road allowance of Holland Avenue at the rear of 560 to 596 Stone Church Road East.
- (b) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1989;
- (c) That the Director of Property be directed to proceed with the disposition of the said lands to the abutting owners;
- (d) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed street is to be distributed to the abutting owner(s), and that the applicant deposit a reproducible copy of the said plan with the Regional Surveyor:
- i. That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act; and
  - ii. That the City Solicitor make application to the Ministry of Housing under Section 443 (8) of the Municipal Act for approval of the By-law.

- \*21. (a) That the Art Gallery of Hamilton be permitted to display a promotional banner across Main Street West in front of City Hall, from, Monday, September 4, 1989 to Monday, September 11, 1989, with the following message:

"ART GALLERY OF HAMILTON  
1914-1989  
THREE QUARTERS OF A CENTURY"

- (b) That the "Mardi Gras Festival of Hamilton Wentworth Inc." be permitted to display a promotional banner across Main Street West, in front of City Hall, from January 29, 1990 to February 4, 1990, and from February 19, 1990 to February 25, 1990 subject to the policy guidelines and conditions approved by Council on October 29, 1988, September 30, 1988 and January 13, 1987, with the following message:

VISIT HAMILTON THE MARDI GRAS CAPITAL OF CANADA  
JOIN OUR FESTIVITIES

22. (a) That the request of David V. Ferguson, Solicitor, on behalf of Mary Henderson, to discharge the agreement covering a footpath in the vicinity of Highridge Avenue and Donn Avenue, Instrument No. 314971 C.D., registered June 3, 1985, be approved, subject to the satisfaction of the City Solicitor; and
- (b) That the City Solicitor be authorized and directed to prepare and register the documents in relation to the discharge and that the appropriate civic officials be authorized to execute these documents.
23. (a) That the request of Mr. S. Hammond, owner, to discharge the encroachment agreement which permitted Boulevard Parking for 444 Main Street West, Instrument No. 387667 C.D., date of registration November 19, 1986, be approved, subject to the satisfaction of the City Solicitor.
- (b) That the appropriate civic officials be authorized to execute the documents in relation to this discharge.
24. (a) That the applicant's request for a discharge of the Encroachment agreement at 132-140 Wellington Street for an encroachment of a building on the road allowance, registered as Instrument No. 308458 C.D. on March 26, 1985 be approved provided that the discharge is prepared to the satisfaction of the City Solicitor;
- (b) That the appropriate City signing officials be authorized to execute the documents in relation to the discharge.

25. That the application of Mr. Dennis R. Roy, Solicitor on behalf of the present owner of 178 Baron Avenue North, to retain the inadvertent encroachment consisting of a 1 story building encroaching on Baron Avenue by 0.061m x 4.29m and encroaching on Britannia Avenue 19.43m x 0.165m be approved during the pleasure of Council, provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege; and
  - (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.
26. That the application of Mr. Norman Watson, Solicitor on behalf of the present owner of 34 Francis Street, to retain the inadvertent encroachment consisting of a concrete stoop measuring 1.18m x 0.43m be approved during the pleasure of Council, provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss;
  - (b) That a first year fee of \$125 and subsequent annual fee of \$20 be set for this privilege; and
  - (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.
27. (a) That the following changes be made in the maximum Local Improvement Charges per metre of frontage; for the construction of roads, curbs, sidewalks and alleys:

Item	Maximum Charge per Metre of Frontage	
	From	To
i. Curb Only	\$ 59.00	\$ 64.00
ii. Sidewalks Only (no change)	\$ 80.00	\$ 80.00
iii. Sidewalks and Independent Curbs or Combined Sidewalks and Curbs	\$128.00	\$131.00
iv. Roadway Only	\$220.00	\$221.00
v. Alleys	\$ 70.00	\$ 86.00
vi. Roadway and Curbs Only (Industrial Subdivisions)	\$277.00	\$300.00



- (b) That the City Solicitor be authorized and directed to amend the Local Improvement By-law.
28. That the City Solicitor be authorized and directed to prepare a By-law to incorporate Parts 1, 3, 4, 5, and 6 Plan 62R-9966 into Greenhill Avenue.
29. (a) That the City's Share of the cost of curbs, sidewalks and final roads, as adopted by City Council on July 20, 1987 as Item 19 of the Eleventh Report of the Transport and Environment Committee for "Strawberry Hill Addition", be increased by \$2 377 to \$47 662; and
- (b) That the Co-ordinating Committee recommend the source of funding for these additional costs.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE CITY'S SHARE OF ADDITIONAL COST OF SERVICES TO BE INSTALLED IN THE STRAWBERRY HILL ADDITION BE FINANCED FROM THE "RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS", ACCOUNT NO. RF 59003-25207. *CARRIED*

30. (a) That the submitted schedules for the estimated cost of services in "Templemead No. 3 Survey", Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement with the owner;
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement between the City of Hamilton and the owner, First Pioneer Investments Limited;
- (c) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered;
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he be permitted to do so at his own risk, providing, that he enters into a Standard Agreement for Pre-Servicing; and
- (e) That the City Solicitor be authorized and directed to prepare a By-law to incorporate the 0.3m Reserve, Block 158 on a plan of subdivision known as "Templemead No. 1 Survey - Phase 2", into the Templemead Drive road allowance. The said By-law for this parcel of land is to be registered following the registration of the plan of subdivision for "Templemead No. 3 Survey", Hamilton.

31. (a) That the submitted schedules for the estimated cost of services in "Eaglewood Manor", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement. These lands are located north of Rymal Road and West of Upper Gage. The total estimated cost of services for this development is \$241 103.17;
- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered;
- (c) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing;
- (d) That the City's share of the cost of services for the development (\$42 454) be approved, and that the Co-ordinating Committee recommend the source of funding for this project;

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE CITY'S SHARE OF COST OF SERVICES IN THE GROSS AMOUNT OF \$42 454 BE FINANCED FROM THE "RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS", ACCOUNT NO. RF 59003-25207. *CARRIED*

- (e) That the City Solicitor be authorized and directed to prepare the appropriate By-law to incorporate the Block "45", Plan 62M-472 (0.3 metre Reserve), and Parts 1, 2, 3, and 4, Plan 62R-9574, into the Eaglewood Drive road allowance, in conjunction with the registration of the plan of subdivision.
- (f) That the City Subdivision Agreement include the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning By-law and Council policy.
32. (a) That Items 3 and 22 of the 4th Report of The Transport and Environment Committee approved by Council on February 23, 1988, to close and sell Old Nash Road between Brampton Street and Nash Road, be rescinded.
- (b) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and retaining of Old Nash Road between Brampton Street and Nash Road being Part 2 on Plan 62R-9679.
- (c) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law.

- intention to pass the By-law.
- (d) That the original applicants for closure, Joseph Tittarelli and Gino Tittarelli be refunded their deposit for the purchase being \$2 600.
  - (e) That Joseph Tittarelli and Gino Tittarelli be refunded their closure application fee of \$208 and all reasonable survey and legal costs incurred by them with respect to the closure application.
  - (f) That the Finance Committee recommend the method of financing these costs.
33. (a) That a School Traffic Officer be assigned to the signalized intersection of King Street West and Strathcona Avenue for a six month trial period.
- (b) That the Finance Committee be requested to recommend the method of financing an amount of \$3 442 to cover the cost.
- \*34. That snow removal charges assessed against St. Michael's Church, 1188 Fennell Avenue East, in the amount of \$1 386, be waived.
35. (a) B-24 By-law to authorize additional expenditures for the construction of local improvements of concrete alleys on:  
1) First south of Bristol Street from Sanford Avenue to Minto Avenue; 2) First north of Primrose Avenue from Gage Avenue to Avondale Avenue; and 3) in the block bounded by Cedar Street, Afton Avenue, Prospect Street and Cumberland Avenue.
- (b) B-25 By-law to incorporate Part 3, Plan 62R-9295 into Upper Horning Road.
- (c) B-26 By-law to incorporate Block 72, Plan 62M-577 into Bonaparte Way.
- (d) B-27 By-law to Amend By-law 66-100 to Regulate Traffic.
- (e) B-28 By-law to Amend By-law 66-100 to Regulate Traffic.
- \*\*36. That the Director of Traffic Services be directed to install a School Bus Loading Zone on the south side of Whitney Avenue in front of Prince Philip School for the duration of sewer construction on Rifle Range Road.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

\* Section 34 referred back  
Recorded vote, see page 134

\*\* Section 36 added during Council



- \* 16. (b) *That a School Traffic Officer be assigned to the intersection of Greenhill Avenue and Hildegard Drive "for a 6 month trial basis effective September 1, 1989" and that the Finance Committee be requested to recommend the method of financing.*

\*REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That the National Transportation Agency be advised that:
  - (a) The proposed abandonment of the operation of the railway lines between Hamilton and Brantford and between Brantford and Simcoe may be contrary to paragraph 6 of the Minutes of Settlement executed between The Corporation of the City of Hamilton, The Toronto, Hamilton and Buffalo Railway Company and Canadian Pacific Limited on May 1st, 1986;
  - (b) If the Agency decides to make an Order for the abandonment of the operation of these railway lines, such Order be made on the condition that:
    - i. the overall level of freight rail service that Canadian Pacific provides to and from the City, in no way, be diminished now and in the future, and
    - ii. if the need should arise in the foreseeable future, Canadian Pacific be required, at its own expense,
      - to re-establish these railway lines, or
      - if this is not possible, to provide the City with comparable, efficient and effective alternative railway service.

NOTE: On January 27th, 1989 staff was notified, by fax, by the National Transportation Agency that the Agency has made a determination of the actual losses incurred by Canadian Pacific Limited in the operation of the railway lines between Hamilton and Brantford and between Brantford and Simcoe. At the same time the Agency advised us that the City had seven days in which to make further submissions on Canadian Pacific's pending abandonment applications before the Agency will proceed with them.

After reviewing these applications, and considering the submissions of City staff, the correspondences with the National Transportation Agency, the presentation of Canadian Pacific before the Transport and Environment Committee and the Minutes of Settlement with Canadian Pacific, staff has come to the following conclusions.

\* *Third report of the Transport and Environment Committee added during Council*

First, it is in the best interests of the City to advise the National Transportation Agency that the proposed abandonments may contravene the agreement made with the City by Canadian Pacific to provide freight rail service to and from the City. This agreement is contained in paragraph 6 of the Minutes of Settlement executed between the City, The Toronto, Hamilton and Buffalo Railway Company and Canadian Pacific on May 1st, 1986. That contractual obligation is a matter that the Agency should be asked to consider in determining whether the continued operation of these railway lines is required in the public interest. Also, it is imperative that Canadian Pacific be reminded, at every opportunity, of this important obligation. The consequences of allowing Canadian Pacific to ignore it would be devastating to both present and future industries and businesses in the City. In addition, in the event of future litigation to enforce this obligation, the City's prior efforts to resist any attempt by Canadian Pacific to reduce its railway service to and from the area would be a material consideration in the determination of the outcome of that litigation.

Second, it is in the best interests of the City to further advise the National Transportation Agency that, if the Agency, despite the City's objection, decides to approve Canadian Pacific's applications, then its Order should be made conditional on the understanding that (1) Canadian Pacific's overall freight rail service to and from the City will not be lessened and (2), if the need should arise in the foreseeable future, Canadian Pacific will be required, at its own expense, (a) to re-instate these abandoned railway lines, or (b), if this is not possible, to provide comparable alternative railway service. In the opinion of staff, these conditions provide the City with the greatest protection at the least cost.

In this regard it should always be remembered that, given the strategic position of the City of Hamilton in relation to the Hamilton-Wentworth Region and the Niagara Peninsula, the question of transportation is of paramount importance to the continuing prosperity and future development of the area. So while there may not be the present demand for the freight service provided by these railway lines, as claimed by Canadian Pacific, it is conceivable that conditions might change in the near future. If this were to occur, the City would have no assurance that the abandoned railway service would be revived or, if it could not, an alternative railway service would be established. To protect the economic interests of its citizens, industries and businesses, the City must have such assurance.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1989 January 31

/lp



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents *its FOURTH Report for 1989* and respectfully recommends:

1. (a) That a contract be awarded to Martin Weaver, Conservation Consultant Incorporated, for the purpose of carrying out a detailed inspection report to determine the nature and extent of conservation required on:
  - i) the Gartshore Engines and related machinery
  - ii) the condition of the structure and fabric of the Engine House and Woodshed.
- (b) That the Terms of Reference for this study require that the consultant must review the reports received to date from The Ontario Heritage Foundation, the Canadian Conservation Institute, Public Works for Environment Canada, and other Engineering Reports submitted to the Manager of Heritage Services and to contact same for further updates or details as required.
- (c) That these conservation requirements be prioritized and provided with estimate costs relative to carrying out the various stages of the proposed work.
- (d) That the cost of the study not exceed \$7,000.

NOTE: Funds are available in the 1988 Museum of Steam and Technology Account No. 0369-0756.

- \*2. For the information of Council, the Parks and Recreation Committee agreed:

- (a) That a Steam Museum of Technology Ad Hoc Committee be immediately put in place with the following terms of reference:
  - i. to study the future of this Museum particularly to get it back in operation by working with the appropriate representatives of the Federal and Provincial agencies concerned;
  - ii. to perform a review of its staffing and operational mandates;
  - iii. to determine the role of the community and other matters as seen relevant by this committee.

\* Recorded vote, see page 135

- (b) That the Committee consist of the Parks and Recreation Committee member(s) who sit on the Historical Board; the Mayor; the C.A.O.; the Director of Culture and Recreation; the Manager of Historic Services; the Director of Public Works; and the Regional Commissioner of Engineering and the Chairman of Parks and Recreation as an ex officio member.

NOTE: This Committee is to report back within 90 days to the Parks and Recreation Committee with a proposed operational program and all other matters to ensure its reopening on a historically professional basis as soon as possible and not later than the May 22nd Victoria Day holiday.

In the interim all matters relating to the Steam & Technology Museum should be addressed to this Ad Hoc Committee rather than to the Hamilton Historical Board.

3. That a purchase order be issued to Standard Paving Company, Hamilton, in the amount of \$49 826.10 to install Parking Lots at Mahoney and Scenic Parks, in accordance with Vendor's tender.

NOTE: Lowest of several tenders received for Contract RHW-88-18. Funds provided in Work Done For Others Account No. 0364-9819.

4. (a) That Mr. Igor Barta, Architect, be retained for a maximum contract price of \$28 000 for full Architectural and Engineering Services for a new Public Works Utility Building, in accordance with the Project Brief issued by the Manager of Purchasing and Vendor's tender.

- (b) That a contract be entered into satisfactory to the City Solicitor.

NOTE: Lowest of three (3) tenders received. Funds provided in Mohawk Sports Park Utility Building Account No. CF5450628754001, Consultant Fees.

5. That a purchase order be issued to Parsons Unit Step, Hamilton, for the supply and installation of Grave Crypts, Hamilton Municipal Cemeteries for a three (3) year period 1989, 1990, 1991 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Regular - \$229

Youth - 220

Oversize - 250

All taxes and charges, with the exception of lid installation and grave dressing, included.

NOTE: Lowest of two (2) tenders received. Funds provided in Crypts Suspense Account No. CH24011-00001.

6.
  - (a) That the Parks and Recreation Committee approve the purchasing of Landscape Architectural Services for the purpose of developing a design concept proposal for the T. B. McQueston Park, which will include research, public meetings, landscape design, drawings, and liaison with community groups.
  - (b) That the services of Mrs. Jo-Anne McDermott, Landscape Designer - be purchased on a part-time basis; eight hours per day, three days per week, not to exceed 40 weeks at a cost of \$18 per hour at a total cost of \$17 280.
  - (c) That the cost of these services be charged to account number CF 5450 628854004 (T. B. McQueston Development - Study and Related Work).
  
7.
  - (a) That 9 trailblazer signs for directing motorists to the Mohawk Sports Park/Bernie Arbour Stadium be erected at the following locations.
    - i. Mohawk Road east of Highway 403
    - ii. South/East corner of Mohawk Road and Upper James Street
    - iii. South/East corner of Mohawk Road and Upper Gage Avenue
    - iv./v. South side of Mohawk Road between Upper Kenilworth Avenue and the parking lot entrance
    - vi. North side of Mohawk Road between Mountain Brow Boulevard and the parking lot entrance
    - vii. North/West corner of Highway #20 and Mud Street
    - viii. Mountain Brow Boulevard at Albion Falls
    - ix. Mountain Brow Boulevard near Mohawk Road
  - (b) That the cost of supply and erecting these signs in the amount of \$1 100, be charged to Account No. CH 56398-62118 (Mohawk Sports Park Budget).
  - (c) That permission to erect these trailblazer signs on the Regional Roads be requested of the Region's Engineering Services Committee.
  
8. That an Option to Purchase the property to the rear of 1321 Upper Wellington Street duly executed by Barry Albert Sheets and Linda Margaret Sheets on November 25, 1988 and scheduled for closing on or before March 30, 1989 be approved and completed.



NOTE: The subject property is required in connection with the future park proposal for the Crerar Neighbourhood and has a width of 20.11 metres (66 ft) and a depth of 113.38 metres (372 feet) comprising an approximate area of 2,208.08 square metres (24,552 square feet), together with a temporary 3.04 metre (10 feet) wide easement running along the southerly limits of 1321 Upper Wellington Street (300 feet) from the easterly limit of Upper Wellington to the subject property.

The easement is to be temporary until such time as ingress and egress to the subject property is available by way of a public road.

The purchase price of \$43 000 is to be charged to Account No. RF 53000 25301 - Reserve for Parkland Acquisition.

9. (a) That a short, medium and long term Needs Assessment and Feasibility Study to determine adequate recreational services for senior citizens, be undertaken by an independent consultant.
- (b) That the Terms of Reference for this Study be developed by a Steering Committee comprised of: 2 members of the Parks and Recreation Committee, 3 members of staff (2 from the Department of Culture and Recreation, 1 from Planning Department), 3 members of the Hamilton Seniors Council, 3 Members of the Parks and Recreation Citizens Advisory Committee, and 1 representative of the Ministry of Tourism and Recreation/Ministry of Community and Special Services.
- (c) That the Terms of Reference be submitted to the Parks and Recreation Committee for approval, and take into consideration, among other factors:
  - i. The recommendation adopted by City Council to determine the best mountain location for the construction of a new seniors centre.
  - ii. The existing facilities and services, existing and expanding seniors population, and the need for integrated as well as segregated services.
- (d) That upon completion of approved Terms of Reference, staff be authorized to make application to the Ministry of Tourism and Recreation for a Community Recreation Planning Grant to off-set up to 50% of the costs of the Study.

- (e) That the Co-ordinating Committee be requested to recommend the method of financing for this Study, taking into consideration, those funds which may be available from the Reserve for the Acquisition of Properties under the Planning Act, Account No. 0280-11, at an estimated cost to the City of \$30 000.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE ESTIMATED GROSS COST OF \$30 000 FOR THE FEASIBILITY/ NEED STUDY FOR SENIOR CITIZENS BE FINANCED FROM THE "RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT", ACCOUNT NO. RF 59006-25301. *CARRIED*

- (f) That the Director of Culture and Recreation call a meeting of the Steering Committee as soon as the Steering Committee is in place.
  - (g) That Alderman Jackson and Alderman Hinkley be appointed as the representatives of the Parks and Recreation Committee.
10. That authorization be given to combine the Rosedale School Playground Equipment Project and the St. Christopher's Separate School Project (both previously approved and funded by City Council) into one project on one site in the Rosedale Neighbourhood without reducing those funds already approved.
11. (a) That the Hamilton-Wentworth Separate School Board be requested to permit the City of Hamilton to construct a two court bocci facility on Separate School land adjacent to the St. Agnes Elementary School in the Riverdale East Neighbourhood; and
- (b) That, subject to the receipt of approval from the Separate School Board, the Parks Division of Public Works Department be authorized to proceed with the installation of the bocci courts at the earliest opportunity this spring at an estimated cost of \$12 000; and
- (c) That the Co-ordinating Committee be requested to recommend the method of financing for this project taking into consideration the funds available in the City's Reserve for Parkland (5%) Fund.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE ESTIMATED GROSS COST OF \$12 000 FOR THE CONSTRUCTION OF THE BOCCI COURT FACILITY BE FINANCED FROM THE "RESERVE FOR THE ACQUISITION OF PROPERTIES UNDER THE PLANNING ACT", ACCOUNT NO. RF 56006-25301. *CARRIED*

12. (a) That the registration fee for Camp Kidaca be increased as follows:

	<u>From</u>	<u>To</u>
Residents	\$35	\$40

- (b) That a non-resident fee be initiated to reflect an estimated 50% surcharge as follows:

Non-Residents	\$35	\$60
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- (c) That the administrative fee for cancellation from the program be increased from \$5 to \$10.

13. (a) That the registration fee for Tennis Instructional Program provided by the Department of Culture and Recreation be increased as follows, effective July 1, 1989.

	<u>From</u>	<u>To</u>
Child/Youth	\$3	\$5
Adult (18 years & over)	\$5	\$8

- (b) That a non-resident rate be initiated, to reflect an estimated 50% surcharge as follows:

Child/Youth	\$ 7.50
Adults (18 years & over)	\$12

14. That staff be authorized to enter into discussions with the Hamilton-Wentworth Separate School Board staff relative to the City's interest in utilizing some or all of the Separate School Land (newly acquired - 8 acres) adjacent to the St. Agnes Elementary School for the purpose of constructing a recreation complex in the Riverdale East Neighbourhood.

15. (a) That Gore Park be designated as the location for the 1989-1990 New Year's Eve Celebration.

- (b) That this event be held in conjunction with the Downtown B.I.A.



16. (a) That an amount of \$15 000 be provided in the Corktown Priority One Park Account No. 0408-C66066.
- (b) That the Co-ordinating Committee be requested to recommend the method of financing.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE \$15 000 REQUIRED TO FINANCE THE COMPLETION OF THE PROPERTIES TO BE PURCHASED FOR THE CORKTOWN PRIORITY ONE PARK BE FINANCED FROM THE "RESERVE FOR LANDS ACQUIRED UNDER THE PLANNING ACT", ACCOUNT NO. RF 53006-25301, AND CREDITED TO WORK-IN-PROGRESS ACCOUNT NO. CF 4136 6286-50008. *CARRIED*

17. (a) That the Terms of Reference for The Feasibility Study for Arena/Skating Rink, appended hereto as Schedule "A", be approved.
- (b) That the Terms of Reference be submitted with The Community Recreation Planning Program Application for 50% support funding from the Ministry of Tourism and Recreation.

18. That in accordance with Parks By-law 77-221, City approval be given the following events to be held in conjunction with this year's "Festival of Winter":

- (a) February 4 and 5, 1989 - Horse and Sleigh Rides - King's Forest and Gage Park
- (b) February 5, 1989 - Hot Air Balloon Rides - King's Forest
- (c) February 5, 1989 - Tobogganning - King's Forest
- (d) January 21, 1989 - Snowmobile Rides - Bobby Kerr Park (Sponsored By The Berrisfield Community Council.)
- (e) Date To Be Confirmed - Sleigh Rides - James MacDonald School Site (Sponsored By the Gourley Park Community Council.)

19. That the surcharge on non-resident fees and memberships for Recreational Facilities in the City of Hamilton, be increased from 30% to 50%, effective immediately.

20. For the Information of Council, the Parks and Recreation Committee, at its meeting held Tuesday, January 24, 1989 made the following appointments to Sub-Committees:

(a) **Arts Advisory Sub-Committee**  
(Term of Office Expires November 30, 1991)

Ms. Sheila Greenspan  
Mr. Glen Mallory  
Ms. Janna Malseed  
Mr. Peter Mandia  
Ms. Pegi McGillivray  
Ms. Lynda Morris  
Mr. William Powell  
Mr. Chuck Renaud  
Ms. Liz Robinson  
Mr. Bob Mason  
*Mr. Joe Gaul*

(b) **Crystal Palace Sub-Committee**  
(Term of Office Expires November 30, 1991)

Mr. Alan E. Bowler  
Mrs. Patricia Greenaway  
Mr. Dave MacLennan  
Mr. A. P. Paterson  
Mrs. Joan Renison  
Mr. E. R. Seager

(c) **Hamilton Historical Board**  
(Term of Office Expires November 30, 1991)

Mr. Murray Aikman  
Mr. John Best  
Mr. James C. Rollo  
Reverend Bailey  
Ms. Margaret Anderson - Hermann

01/31/89

(d) **Parks and Recreation Citizen Advisory Sub-Committee**  
(Term of Office Expires November 30, 1991)

Mr. John Byl  
Mr. Lou Franco  
Mr. Frank Hickey  
Mr. John Kiriakopoulos  
Mr. Fiorenzo Mastroianni  
Mr. Hugh McKerracher  
Mrs. Lori Peddle  
Mr. Ken Phillips  
Miss Joan Rapsavage  
Mr. Michael Russell

(e) **Hamilton Veterans Committee**  
(Term of Office Expires November 30, 1989)

Mr. J. Michael Roach  
Mr. John O. Fuller  
Mr. Frank Caldwell  
Mr. Lloyd Shephard  
Mr. George Phillips

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1989 January 24

/lp



## TERMS OF REFERENCE

## FEASIBILITY STUDY

## SHORT/MEDIUM/LONG TERM NEEDS - ARENAS/SKATING RINK

## BACKGROUND:

The City has recognized the need to include within community arena facilities, spaces suitable for a variety of neighbourhood and community-based activities. Currently, these activities include, but are not limited to:

- (A) Ice Related Events: Minor hockey, ringette, public skating, figure skating, skating schools, and a variety of other rentals and special events.
- (B) Non-ice Related Activities: Including, but not limited to, teen sports programs, lacrosse, ball hockey, dances, banquets, concerts, circuses, and sports tournaments.
- (C) Community Room Activities: Including, but not limited to, senior citizens clubs, community/sports groups meetings and socials, parties, showers, pre-school programs, and activities which serve the "special populations".

Currently, there are eight public arenas in the City of Hamilton, five in the Lower City, and three on the Mountain. These arenas were planned and constructed based on the City's standard of one facility per 25,000 population. The last such facility constructed was the Lawfield Arena, which opened in 1976.

A ninth community arena was first included in the 1978-82 Capital Budget, with construction to commence in 1982 as a result of the Mount Hamilton Minor Hockey Association appearing before the Parks and Recreation Committee, and identifying the lack of adequate community ice-related facilities to serve the West Mountain area. This project was subsequently deferred, due to budget constraints, and altered corporate priorities for Capital Funding.

Over the years, the demands for ice time in City arenas continued to outgrow the existing capacity. Some groups and leagues were unable to obtain ice time at City arenas, while others were restricted to irregular hours, and times unsuitable to their needs.

During the same time, a number of existing user groups expressed concern over their inability to expand programs, and the reflection on the City's "image" as a result of its inability to host Inter-City, Provincial, and Inter-Provincial tournaments due to lack of adequate ice facilities.

-2-

Many complaints were received with respect to the quality of ice, user cost, and distance to, the privately-owned hockey arenas in or near the City limits. Further, there have been rumours of imminent closure of two of these facilities. If true, this would result in a loss of six ice surfaces for hockey, and an even greater shortage of ice facilities for existing leagues.

The Hamilton Minor Hockey Council was formed in 1985, and is comprised of representatives of all the various minor (boys) hockey programs in the City. Their objectives include the provision of a co-ordinated minor hockey program to ensure adequate opportunities for all players in the City to participate in a balanced, tiered program for all minor-aged players, at all skill levels. The Hamilton Minor Hockey Council has strongly supported the need for additional Arenas to provide adequate and good-quality facilities for scheduled games, practices, clinics, and tournaments. This need was also supported by The Mount Hamilton Ringette Association, and in terms of summer use, by The Hamilton Lacrosse Association.

In September of 1985, the Parks and Recreation Committee agreed that "The City of Hamilton embark on a ten year capital building program to increase the ice surfaces available for skating sports to be initiated over the next five years."

The program was to commence with the construction of a West Mountain "Twin Pad" Arena, which, as the result of a staff review of ten park sites, was to be located in Olympic Park at Mohawk Road and Scenic Drive. Inasmuch as the project was to be funded through debenturing, the request for approval of same was submitted to the Ontario Municipal Board. The residents living near the proposed site voiced their opposition to this project, and such opposition was supported by private arena operators responsible for one facility within the City limits, and two facilities outside the City limits.

On June 2nd, 1987, the Ontario Municipal Board did not approve the application by the City of Hamilton to construct the Twin Pad Arena which also included an indoor running track, and dressing rooms for users of the adjacent sports fields.

In presenting their decision, the Ontario Municipal Board did not question the City's capability to finance the facility, nor its proposed location, but rather advised that the City "had failed to prove a need for this facility."

With respect to the Jackson Square ice skating surface, there had been talk for many years about locating a skating rink of sorts in the Downtown area, perhaps even in the City Hall Plaza ("Similar to the Nathan Philips Square in Toronto"). It was presumed that this "need" was satisfied with the inclusion of a small indoor rink in the Canada Life Portion of the Jackson Square, however, in 1988, this rink, owned by private enterprise,

was closed, and plans are being made to convert the space for alternative uses. Subsequently, the City's Planning and Development Committee asked for consideration for a public ice skating surface in the Downtown Core area. It should be noted that the City's Strategic Plan does identify the need to "liven up the Downtown".

Given the demands and pressures for increased facilities over the years, and the controversy which has been associated with same, it would seem most appropriate that a through review be undertaken at this time.



## STUDY PURPOSE:

The Purpose Of This Study Is To Determine:

- (A) The short, medium, and long term needs for Arena Facilities.  
Short term shall be defined as 1 year.  
Medium term - 5 years.  
Long term - 10 years.
- (B) The feasibility of locating an artificial ice skating rink in the downtown core of the City of Hamilton.

The Analysis Leading To This Recommendation Shall Identify And Consider:

- (A) Design Components
- (B) Spatial Requirements
- (C) Potential Site Locations
- (D) Potential Programs
- (E) Capital Costs/Revenue; - Operating Costs/Revenue
- (F) Implementation plan including time frame(s) for construction, corporate and department impact - staffing, budget, etc.

Since the City will be applying for a Government Grant, the outline will provide a checklist in proposal evaluation, and specify how each task will be achieved; and highlight public participation.

### 1.0 DATA COLLECTION:

#### 1.1. Background Data:

The physical, social, cultural and economic characteristics of the community and the city will provide an overall perspective for the project.

##### (A) Population Data

This includes age and sex breakdown, occupation, income levels, education level, special population requirements.

##### (B) Development Patterns

##### (C) Economic Growth Projections

##### (D) Population Growth Projections

##### (E) Supporting resource materials: Official Plan, Culture and Recreation Master Plan (including Analysis and Alternate Directions Report, Data Base Report). Arena Business Plan prepared by the Department of Culture and Recreation, reports presented to the Ontario Municipal Board in support of the construction of a West Mountain Arena at Olympic Park, together with the decision of the Ontario Municipal Board in not approving the City's application for same, Parks Inventory, Analysis, Existing Land Use, Neighbourhood Plans.

## 1.2 Activity Data

- (A) Profiles of potential participants (age, location of home, income and occupation).
- (B) Activity patterns and preferences.

## 1.3 Present Supply Of Service

The supply inventory should provide enough detail to enable a decision to be made as to whether existing facilities could be utilized or re-organized to meet the needs of the future.

- (A) Municipal Recreational Facilities
- (B) Schools: Elementary, Secondary, Colleges, Universities
- (C) Facilities In Surrounding Communities
- (D) Vacant Land
- (E) Privately Owned Facilities

For The Above Facilities Show:

- (1) Who Operates Them
- (2) Who Uses Them
- (3) How Much They Are Used
- (4) Whether They Are Financially Secure
- (5) How Far The Users Travel
- (6) Cost To The User
- (7) Any Facilities Scheduled For Renovation, Expansion, Or Demolition
- (8) What New Facilities Are In The Planning Stage For The User Groups.

## 2.0 DETERMINE NEED:

The consultant shall confirm the need for the arena(s) and the outdoor artificial ice rink in the downtown area in order to assist in outlining the design components.

The consultants shall use appropriate analytic techniques to identify facility and activity priorities. Recommended approaches are listed below. These techniques may be used in combination to assure that an objective analysis of needs is achieved.

### 2.1 Public Participation:

The consultant will detail how public participation is to be achieved throughout the study. At least two public meetings will be required. One shall take place during the needs identification stage, and another after the draft plan review. Additional meetings may be required with existing facility user groups, and other interested community groups. The consultants shall indicate the methodologies to be used to gather pertinent data.

### 2.2 Develop Measurable Objectives And Criteria:

Measurable objectives should be developed from specific goals such as: access, quality and variety, criteria such as maximum service area and capacity of a facility for a given user populations will then be used to evaluate the objectives.

### 2.3 Economics:

Based upon a cost/benefit analysis of alternative approaches to supplying services and facilities an economic perspective shall be established.

### 2.4 Standards For Facilities:

Consideration should be given to the City's Standards For Recreation Facilities and those published by the Ministry of Tourism and Recreation.

## 3.0 SELECTION OF ALTERNATIVES

### (A) Arenas

The consultant should be cognizant that the options may include but not limited to:

- Constructing of a Twin Pad Arena on a single site
- Construction of a single surface arena
- Twinning of existing facility(ies)
- Constructing of a year-round ice facility
- Constructing of a winter season only ice facility(ies)



(B) Outdoor Skating Rink - Downtown Area

An open outdoor public skating facility to be constructed on lands of the City Hall.

Use of private property, or property leased from or owned by the City.

3.1 Joint Use Agreements:

A facility may be used by more than one organization in order to obtain maximum value for facility dollars.

(A) Direct cost, sharing in planning, construction and maintenance

(B) Direct rental charged to the user

(C) Reciprocal arrangements - exchange of use for each other's facility for free or a nominal charge

(D) Shared utility "plants".

3.2 Increase Efficiency Of Existing Facilities

Meet new needs with existing facilities by operational changes.

(A) Lengthen hours of operation

(B) Shorten rental periods

(C) Increase programs

(D) Increase off peak use

3.3 New Construction

Necessary due to new programs, newer population and lack of existing suitable buildings.

3.4 Delay Projects

Temporary uncertainties which may suggest reconsideration at a later date may be preferable. The exact date when the next review of the proposed project will begin should be specified.

4.0 EVALUATION OF ALTERNATIVES:

Each alternative must be examined. Particular attention will be paid to accurate and complete accounting for all related costs and revenues. The evaluation should include capital, maintenance and operational components as well as programming potential.

#### 4.1 Program Potential

Outline how the alternative will be effective in meeting the needs identified in the analysis stage. Analyze, where applicable, winter and summer activities.

- (A) Goals And Objectives Of Each Program
- (B) Number Of Grouping Of Users
- (C) Personnel Required
- (D) Program Scheduling
- (E) Furnishing And Equipment Needed
- (F) Relationship To Other Activities
- (G) Special Program Needs Are To Detailed Enough So The Preliminary Cost Calculation Can Be Made.

#### 4.2 Space Requirements

Space requirements should detail the areas required for each function in the facility not only the primary activity space, but also support areas. The space program needs to be detailed enough so that a preliminary cost calculation can be made.

#### 4.3 Site Selection

Cost and accessibility of the site and how that relates to the expected users are to be outlined in this section. Comparisons of sites will consider:

- (A) Location Relative To Public Transportation And Distance Of Users From Origin
- (B) Size And Topography Including Potential For Expansion
- (C) Cost Of Acquisition And Current Ownership
- (D) Soil And Drainage Conditions
- (E) Services
- (G) Present Use
- (H) Easements
- (I) Suitability (i.e. Adjacent Land Uses), Compatibility Of Facility(ies) Related To The Community Served
- (J) Environmental Impact
- (K) Parking Requirements

As largest single expenditure, costs will include but not be limited to the following breakdown:

- (A) Land Acquisition Costs, If Applicable
- (B) Planning, Designing And Project Management Costs
- (C) Construction Cost
- (D) Site Preparation, Servicing Hook-Ups, Drainage, Landscaping, Parking, Lighting, etc.
- (E) Furnishings And Equipment
- (F) Supplies And Other Materials

#### 4.5 Capital Funding

Sources and methods of possible capital financing will be outlined. For example, but not limited to:

- (A) Government Grants
- (B) Municipal Funds
- (C) Community Fund Raising, i.e. Service Clubs, Corporate And Individual Donations, Community-Specific Lotteries
- (D) Debt Financing - Levies
- (E) Joint Development And Operational Agreements

In addition, the consultant will outline how accurately capital costs can be projected, how construction costs will be controlled, how possible debt will be retired and the potential financial impact on the Corporation, the taxpayer.

#### 4.6 Operational Costs

Operational cost projection will show funds and personnel needed to maintain and operate programs in the proposed facilities. Revenues generated by the proposed program must be considered in relation to costs. For each alternative, expenditures and revenues will be projected for the first five years.

- (i) Building And Maintenance Costs
  - (A) Fuel And Utilities
  - (B) Cleaning And Supplies
  - (C) Preventative Maintenance And Service Contracts
  - (D) Security
  - (E) Financing Costs



(ii) Long Term Maintenance Costs (Life Cycle Costs)

Outline costs that occur at regular intervals but not annually, such as equipment replacement. Certain information about the expected lifetime of equipment will be necessary.

- (A) Repair and maintenance of equipment, building surfaces, structure.
- (B) Replacement or upgrading of fixed and moveable equipment.

(iii) User Program Costs

- (A) Wages of non-operational personnel, i.e. program staff
- (B) Supplies and materials relative to program
- (C) Promotion and advertising
- (D) Rented equipment

4.7 Revenue

Outline the revenue generating potential of each alternative from possible revenue sources as outlined below, but not limited to:

- (A) Facility Rental
- (B) Concessions
- (C) Admission Fees
- (D) Memberships
- (E) Joint Use Agreements
- (F) Advertising Space
- (G) Equipment Rentals, Sales And Service
- (H) Donations

This analysis will cover the first five years to give a projection of the surplus/deficit position. Should a deficit result, the source of funds which will be needed to support the facility must be outlined.

5.0 RECOMMENDATIONS

The consultant will prioritize the alternatives investigated and recommend the best option and outline why. After the investigation and subsequent analysis of alternatives, the consultant shall make a prioritized list of recommendations. These recommendations shall be comprehensive in scope and the consultant will recommend the preferred option(s) with supporting rationale.

6.0 IMPLEMENTATION

After the study has been approved and course of action decided upon, the sequence of activities leading to the completion of the facilities will be detailed on a time-line basis.

## 7.0 ROLES AND RESPONSIBILITIES

### 7.1 The Culture And Recreation Department

The Director of Culture and Recreation or designate shall act as the liaison and direct contact person between the Steering Committee and the Consultant and shall also assume the following responsibilities:

- (A) To provide printing services (i.e. minutes, notices of meeting, questionnaires).
- (B) To prepare and circulate all minutes of meetings held in relation to the study with the exception of public meetings.
- (C) To perform all administration required in the application for study support funding from the Ministry of Tourism and Recreation.
- (D) To circulate all interim reports to all appropriate committees, agencies and individuals.
- (E) Co-ordinate and advertise public meetings with copy supplied by consultant.
- (F) To submit to the Ministry of Tourism and Recreation three (3) copies of any interim, draft and final reports for comment.
- (G) Provide copies of the interim and final reports to the Steering Committee, Department Heads, major recreational organizations and Council as necessary.
- (H) Provide consultants with all relevant background information outlined as resource material at the onset of the study.

### 7.2 Steering Committee

The Steering Committee shall consist of three members of the Parks and Recreation Committee, one representative each from the following:

Hamilton Minor Hockey Council  
Ringette Association  
Old Timers Hockey Association  
Hamilton/Stoney Creek Skating Club  
Three Citizens-At-Large  
Two Staff Of The Culture And Recreation Department  
One Staff From The Planning Department (Local)

Note staff, of The Ministry of Tourism and Recreation, will be an ex-officio member of the Committee.

They shall be responsible to the Parks and Recreation Committee through the Director of Culture and Recreation and shall oversee the study including:

- (A) Assist in selecting the consultant firm.
- (B) Review and approve the format and content of public input.
- (C) Monitor the progress of the study in relation to the Terms of Reference and attendant timeline agreed to by the consultant.
- (D) Review and comment on interim reports.
- (E) Receive and review the draft final report prior to presentation to the Parks and Recreation Committee and Council.

7.3 Consultant's Responsibilities:

- (A) The consultant will clearly outline their proposed study method as it relates to the study purpose.
- (B) During the course of the study, the consultant will be expected to provide information/directions/alternatives based on successful and innovative approaches to such facilities and the provision of same.
- (C) The consultant will be responsible for providing a copy for advertising public meetings in the local news media.
- (D) Prepare and circulate to Steering Committee all minutes of public meetings.
- (E) Submit a work schedule within one week of Council's approval of the selection of the consultant and ensure that the approved timeline is met.
- (F) Develop draft copies of all survey questionnaires and submit them to the Steering Committee for approval.
- (G) Provide regular progress reports and meet with the Steering Committee to review same.
- (H) The consultant shall complete the Draft Report by June 13th, and the Final Report for presentation to the Parks and Recreation Committee and Council by July 25th.
- (I) The consultant shall be responsible for the preparation, printing, including reduction and reproduction of all graphics, illustrations, cover sheets, etc. as required for the preparation of:

15 - Interim Reports  
20 - Draft Reports  
35 - Final Reports



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its FOURTH report for 1989 and respectfully recommends:

1. (a) That a grant and repayable loan in the amount of five thousand dollars (\$5,000.) BE APPROVED for Mrs. A. Dreher, 3 Fielding Crescent, for the adaptation of her home for handicapped access.
- (b) That subject to approval, the Lien be registered on Title indicating that a forgivable grant in the amount of two thousand, five hundred dollars (\$2,500.) be earned over a five (5) year period, and the balance of two thousand, five hundred dollars (\$2,500.) be repaid to the Corporation of the City of Hamilton at the time of the sale of the property. The interest rate on the repayable portion will be zero percent.

- \*2. That the composition of the Board of Directors of the Municipal Non-Profit (Hamilton) Housing Corporation be revised to 9 council members, preferably one from each Ward, and the Mayor, and 5 citizen members.

Note: The present composition consists of all members of City Council

3. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to the present owners of 1172 Rymal Road East, Hamilton, Ontario to release the property from the construction covenants to the City as contained in deed number 204779 L.T.

NOTE: In adopting Item 12 of the Eighth Report for 1987 of the Planning and Development Committee, City Council on 1987 April 28, authorized the sale of Lot 6, Registered Plan M-352 to Tuite Construction Limited. The transaction was completed on 1987 July 13. On 1988 December 20, their proposed building was completed.

\* Recorded vote, see page 138

01/31/89

4. That the City Solicitor be authorized and directed to prepare a Notice from the City of Hamilton to Fourth Phase Civic Square Limited, advising that the City of Hamilton, under the provisions of the City's Ground Lease, direct that the Skating Rink and its facilities be re-opened, operated and maintained for the balance of this winter season.

5. (a) For the information of the members of City Council, the Planning and Development Committee have appointed the following members of Council to serve on the Beach Implementation/Beach Advisory Committee:

Alderman F. Lombardo  
Alderman D. Agostino  
Alderman D. Christopherson

THE CO-ORDINATING COMMITTEE RECOMMENDS  
THAT ALDERMAN G. COPPS BE APPOINTED AS  
AN ADDITIONAL CITY REPRESENTATIVE ON THE  
BEACH IMPLEMENTATION BEACH ADVISORY COMMITTEE  
*CARRIED*

- (b) For the further information of members of City Council, the Planning and Development Committee have appointed Mr. R. Wheeler to serve on this Committee as an owner representative from Hamilton Beach.

NOTE: The composition of owners/tenants from Hamilton Beach will be increased from seven (7) to eight (8) with the appointment of Mr. Wheeler.

- (c) Also for the information of the members of City Council, the following members make up the composition of the Beach Advisory Committee as per the composition approved by City Council on 1988 August 30th:

<u>Representing</u>	<u>Member</u>
(i) Hamilton Region Conservation Authority	To be determined
(ii) Region of Hamilton-Wentworth	Councillor S. Napper
(iii) Citizen at Large	Mrs. G. Simmons
(iv) Hamilton Beach	Mrs. L. Marshall Mr. M. Gagnon
(v) Owners/Tenants, Hamilton Beach	Ms. L. Gendreau Ms. E. Nebesny Ms. E. Massignani Mr. B. Jaggard Mr. J. Howlett Mr. S. Hobbs Ms. T. Kemp

6. That APPROVAL be given to Zoning Application 88-32, Ronald James Creighton, owner, for a change in zoning from "AA" (Agricultural) District modified to "HH" (Restricted Community Shopping and Commercial) District, for property located at 19 Rymal Road East, as shown on the attached map marked as APPENDIX "A" on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District, modified to "HH" (Restricted Community Shopping and Commercial) District.
  - (b) That the "HH" (Restricted Community Shopping and Commercial) District provisions as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following as special requirements:
    - (i) that a landscaped planting strip not less than 3.0 meters wide shall be provided and maintained within the lot along the entire southerly lot line.
    - (ii) no access driveway to and from Rymal Road East shall be provided on the land.
  - (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1109, and that the subject lands on Zoning District Maps E-9D and E-9E be notated as S-1109;
  - (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-9D and E-9E for presentation to City Council.
  - (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the application is to provide for a change in zoning from "AA" (Agricultural) District, modified, to "HH" (Restricted Community Shopping and Commercial) District for property located at 19 Rymal Road East.

In addition, the By-law requires a landscaped planting strip not less than 3.0 meters wide to be provided and maintained within the lot and along the entire southerly lot line; and that no access driveway to and from Rymal Road East shall be permitted.

The effect of the By-law is to permit commercial use (parking lot) of the subject lands.



7. That APPROVAL be given to an amended Zoning Application 88-68, Jose Inacio Santinhos and Ana Da Costa Santinhos, owners, for a modification to the established "L-mr-2" (Planned Development - Multiple Residential) District, to permit a barber shop as a home occupation type use, for property located at 158 Dundurn Street North, as shown on the attached map marked as APPENDIX "B" on the following basis:

- (a) That the "L-mr-2" (Planned Development - Multiple Residential) District regulations as contained in Section 17B of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
  - (i) Notwithstanding the provisions of Section 2.(2)(H)(iii)(f) and (h) of By-law No. 6593, barbering shall be permitted as a home occupation:
    - (1) carried on by not more than one barber having a principal and permanent place of residence on the premises; and,
    - (2) providing that operation is limited to not more than one barber chair and not more than one commercial sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1110, and that the subject land on Zoning District Map W-11 be notated S-1110;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-11 for presentation to City Council.
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "L-mr-2" (Planned Development - Multiple Residential) District regulations applicable at 158 Dundurn Street North.

The effect of the By-law is to permit a barber shop, operated as a home occupation for one barber only. In addition, the By-law limits the barber shop to only one barber chair and one commercial sink.

8. That APPROVAL be given to Zoning Application 88-93, Doug and Cathy Earle, owners, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations to allow a hairdresser as a home occupation use, for property located at 101 Folkestone Avenue, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements:
- (i) Notwithstanding paragraphs (f) and (h) of Section 2(2)H.(iii), hairdressing shall be permitted as a home occupation on the following basis:
- (1) it is carried on by not more than one hairdresser having a principal and permanent place of residence on the premises; and,
- (2) there is not more than one comb-out centre and one styling sink.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1111, and that the subject lands on Zoning District Map W-13 be notated S-1111;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38a for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of this By-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to property located at 101 Folkestone Avenue.

The effect of the By-law is to permit a hairdressing business as a home occupation use for one hairdresser who resides on the premises as their principal place of residence.

9. That Zoning Application 88-95, Angela Rzazewski and Wesley Rzazewski, owners, requesting a modification to the "C" (Urban Protected Residential, etc.) District for property located at 31 Lake Avenue North, as shown on the attached map marked as APPENDIX "D", BE DENIED for the following reasons:
- (a) It is out of character and incompatible with existing residential development;
- (b) It represents an undesirable intrusion of a commercial use into an area of establishing single-family dwellings;

- (c) Approval of the application would establish an undesirable precedent and set the stage for future similar applications to extend commercial zoning along both sides of Lake Avenue North in the area north of Queenston Road;
  - (d) It is questionable if sufficient off-street parking for the six employees and customers can be accommodated on the site without spillover effects on surrounding roadways;
10. That APPROVAL be given to an amended Zoning Application 88-103, Walter and Mary Matesa, owners, requesting a change in zoning from the "KK" (Restricted Heavy Industrial) District modified to the "HH" (Restricted Community Shopping and Commercial) District modified, to permit the expansion of the restaurant and parking lot on adjoining lands to the south located at 395 Centennial Parkway North, as shown on the attached map marked as APPENDIX "E", on the following basis:
- (a) That Schedule "A" to By-law No. 81-344 be amended by adding the subject lands thereto;
  - (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-772a, and that the subject lands on Zoning District Map E-102 be notated S-772a;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 81-344, and Zoning District Map E-102 for presentation to City Council;
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from the "KK" (Restricted Heavy Industrial) District modified to the "HH" (Restricted Community Shopping and Commercial) District modified, for property located at the south-west corner of Goderich Road and Centennial Parkway North.

The effect of the By-law is to permit expansion of the restaurant and parking lot located on adjoining lands to the south at 395 Centennial Parkway South.

In addition, the lands will be regulated by By-law No. 81-344 which applies to the adjoining lands to the south, and permits only a motel, single family dwelling, a restaurant, motel office use, and accessory uses.



11. That the following policy BE ADOPTED for grading standards on single and double family housing controlled by the subdivision process:
- (a) That the definition: "Required back yard", shall mean the distance designated in the Zoning By-law.
  - (b) That the maximum slope in the back yard adjacent to the building for a distance equal to the required back yard shall be 7%, except as set out in sections (c) and (d).
  - (c) That the 7% restriction shall not apply to the sides of a swale along the sides or back of the lot, providing the total width of the swale shall not exceed one (1) metre.
  - (d) That where the 7% restriction on the back yard grades results in elevation differences between different properties, retaining walls shall be constructed along the sides and the back of the lot. Slopes with a maximum of three horizontal to one vertical may replace the walls where the said difference in elevation is less than 0.3m.
  - (e) That there is no control on the steepness of the slopes in side yards, front yards and back yards, outside the area defined in (a) above, providing said slopes are stable for the soils of the area.
  - (f) That the retaining walls shall be located on the high lands.
12. (a) That Alderman J. Smith be appointed as a Council representative on the Local Architectural Conservation Advisory Committee.
- NOTE: Alderman W. McCulloch was appointed by City Council at its meeting held Tuesday, 1988 November 30, to serve as a Council Representative on LACAC.
- (b) That the citizen composition be increased from seven (7) citizens to eight (8) citizens; and
  - (c) That the following citizens be appointed to serve on LACAC for a term of office to expire 1991 November 30:

Mr. R. Brough  
Mrs. D. Dent  
Mr. B. Henley  
Mr. J. Mokrycke  
Mr. R. Rankin  
Mrs. M.J. Rigby  
Mrs. G. Simmons  
Mr. R. Wheeler

13. That the Region of Hamilton-Wentworth be requested to grant a one year extension to the draft approval for "Wisemount Forest Survey" Subdivision (Regional File No. 25T-83004).
14. That leave be granted to introduce the following Bills:
- (a) Bill D-6 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 120 Stone Church Road West.
  - (b) Bill D-7 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 19 Aikman Avenue.
  - (c) Bill D-8 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 2289 Barton Street East
  - (d) Bill D-9 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 205 Nebo Road.
  - (e) Bill D-10 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 66 and 70 Kennedy Avenue.
  - (f) Bill D-11 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 1221 Stone Church Road East.
  - (g) Bill D-12 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 2783 King Street East
  - (h) Bill D-13 A By-law to amend Zoning By-law No. 6593 respecting lands located on the west side of Centennial Parkway North, between Confederation Drive and the Queen Elizabeth Way.
  - (i) Bill D-14 A By-law to establish Site Plan Control respecting lands located on the west side of Centennial Parkway North, between Confederation Drive and the Queen Elizabeth Way.
  - \* (j) Bill D-15 A By-law respecting lands bounded by Burlington Street East, Oliver Street, Wilfred Street and Wentworth Street, and bounded by Wentworth Street North, Niagara Street and Land Street; and to amend By-law No. 83-240, being an amendment to Zoning By-law No. 6593 respecting land located in the East Harbour and the West Harbour.

\* Section 14(j) added during Council

15. (a) That the Planning and Development Department be requested to establish and carry out a City of Hamilton Mayor's Awards Programme.
- (b) That the Planning and Development Department and Urban Design Committee proceed immediately, to allow the first award ceremony to take place before the end of 1989 April.
- (c) That the estimated cost of \$1,200. be included in the 1989 Planning and Development Department Budget.

NOTE: The Mayor's Awards Programme will aim to identify, reward and call community attention to well-designed and well-executed projects which create or enhance Hamilton's public spaces.

Respectfully submitted,

Alderman J. Smith, Chairman  
Planning and Development Committee

Susan K. Reeder, Secretary  
1989 January 11

\* Section 15 added during Council



AA/S-651

-205-

LEY-LAW 80-C-1731/89

E/S-122a

AA/S-122a

HH/S-97

AA/S-97

AA

HH

AA/S-708

SITE PLAN CONTROL  
LEY-LAW 80-279

ORCHARD

AA

C

HH/S-814

HH/S-814a

HH/S-967

HH/S-980

SITE PLAN CONTROL  
LEY-LAW 80-310

HH

HH

RYMAL ROAD WEST

RYMAL ROAD EAST

UPPER

RYCKMAN ST

LISTER AVENUE

KENNEDY AVENUE

G-1

B

CRESCENT  
SENECA AVENUE

MALTON DRIVE

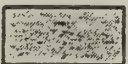
HH

BARTLETT AVE

ALDERCI AVENUE

Appendix "A" as referred  
to in Section 6 of the  
FOURTH Report for 1989  
of the Planning and  
Development Committee

LEGEND



SITE OF THE APPLICATION



APPENDIX A

01/31/89

-206-

SITE PLAN CONTROL  
BY-LAW 81-107

SITE PLAN CONTROL  
BY-LAW 80-013

CUNLURN

PAS

BATTERY  
LODGE

A/S-569

WOODBINE

CRESCENT

YORK

SITE PLAN CONTROL  
BY-LAW 81-925

BLVD

NORTH

DUNDURN STREET

DEVONPORT STREET

JONES STREET

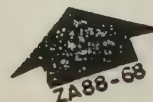
TOM STREET

TOM STREET

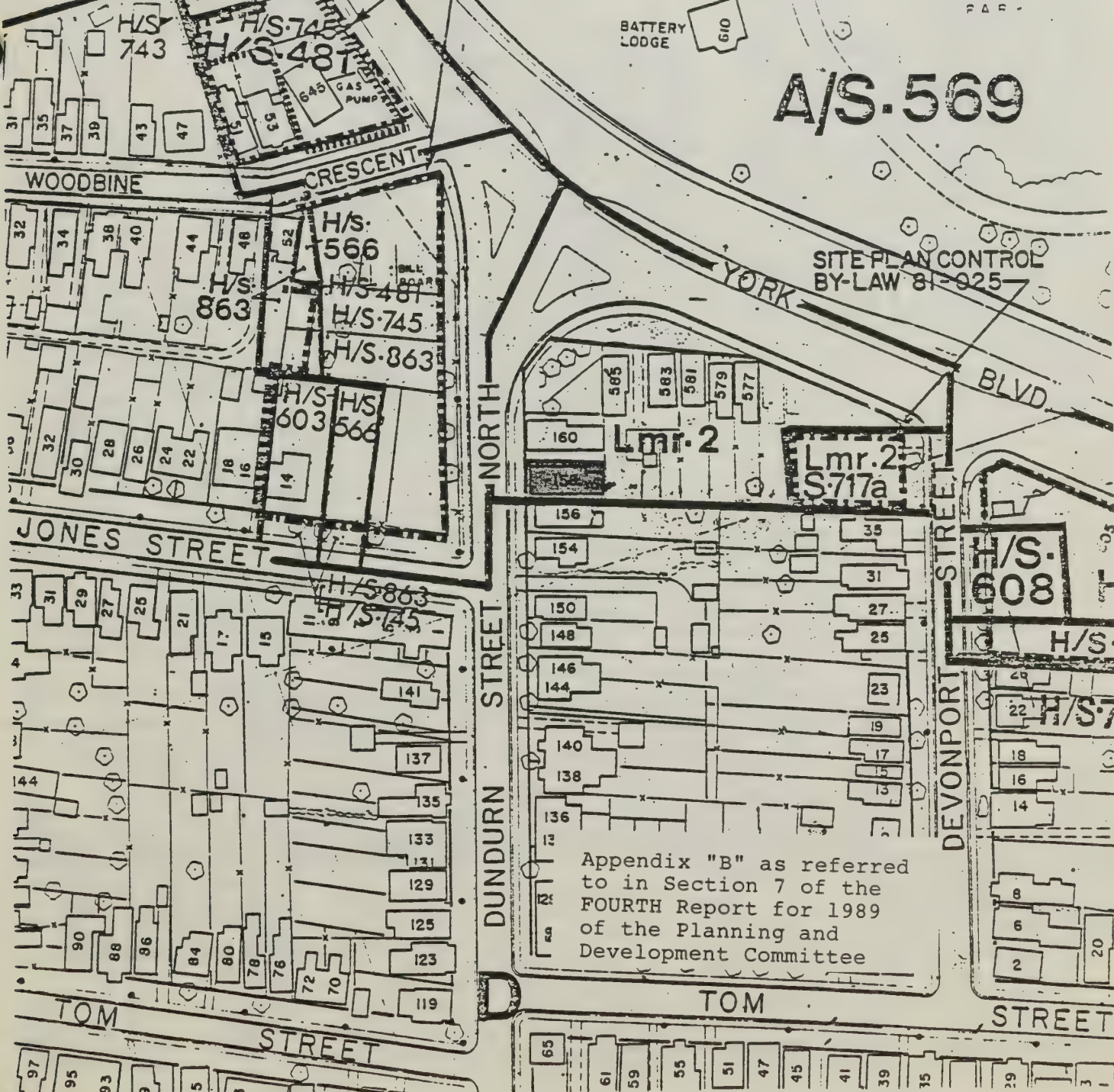
Legend



Site of the Application



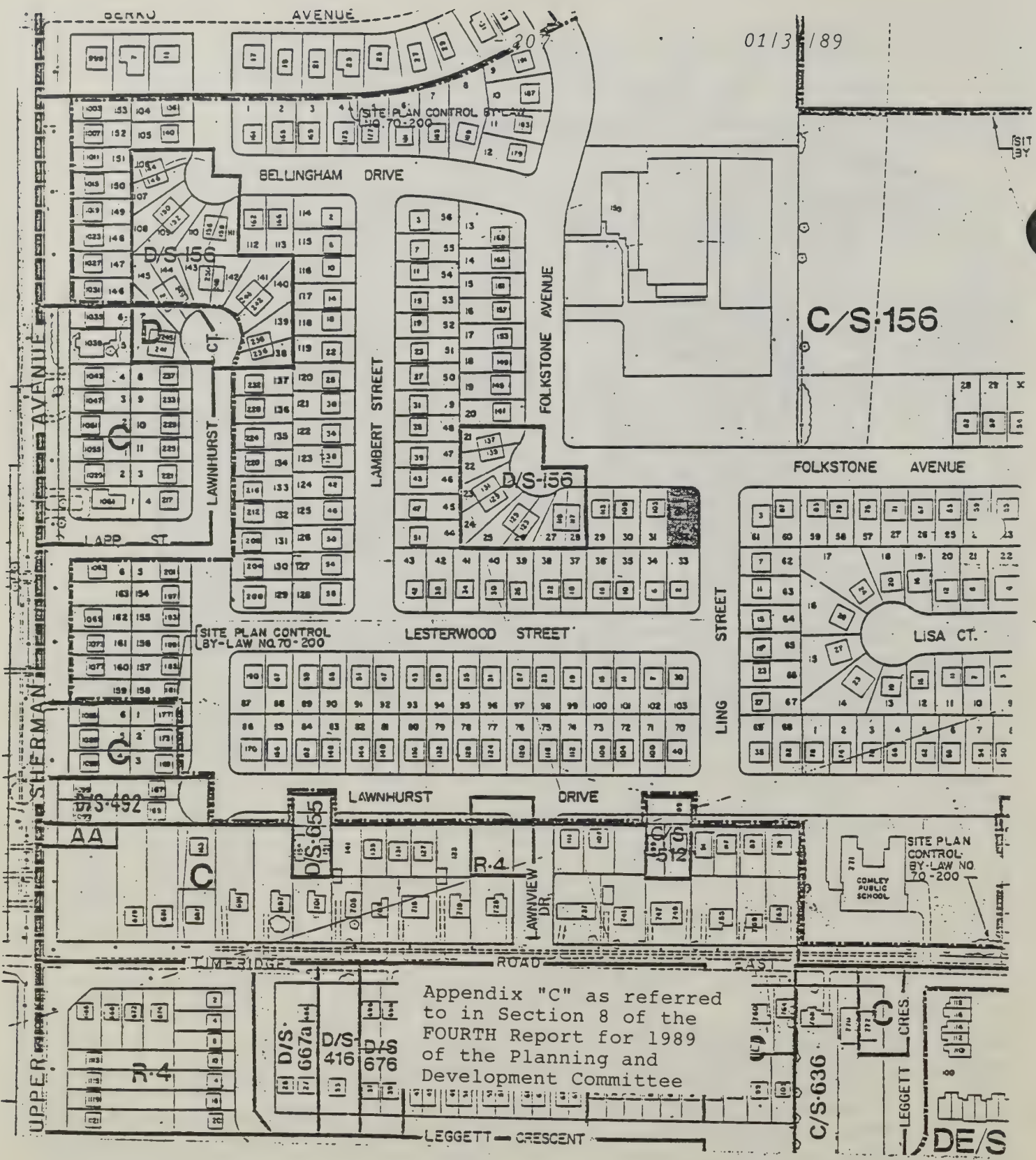
APPENDIX A



Appendix "B" as referred  
to in Section 7 of the  
FOURTH Report for 1989  
of the Planning and  
Development Committee



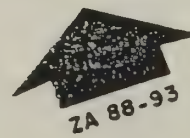
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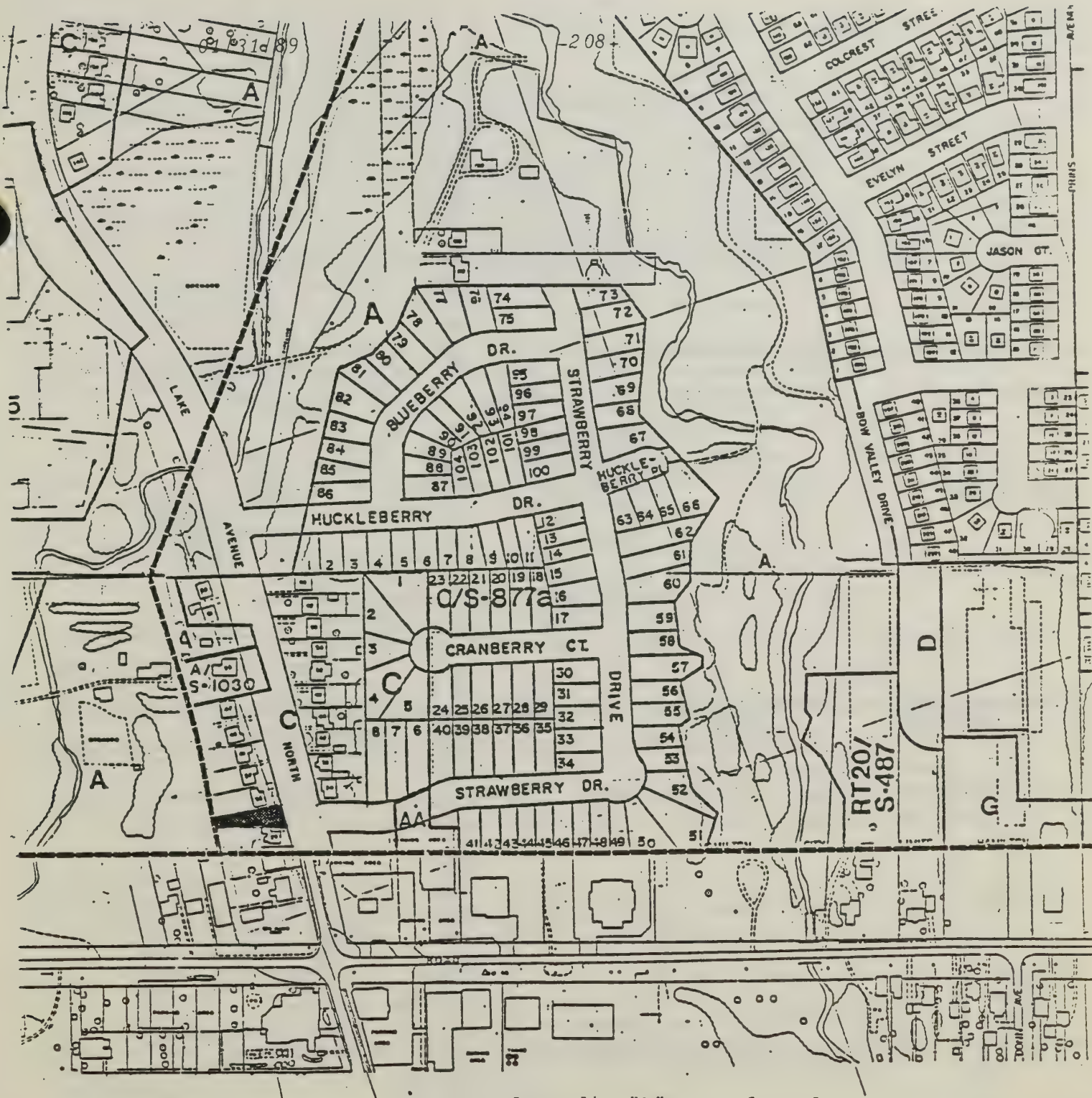
# LEGEND



SITE OF THE APPLICATION





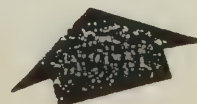


Appendix "D" as referred  
to in Section 9 of the  
FOURTH Report for 1989  
of the Planning and  
Development Committee

#### Legend

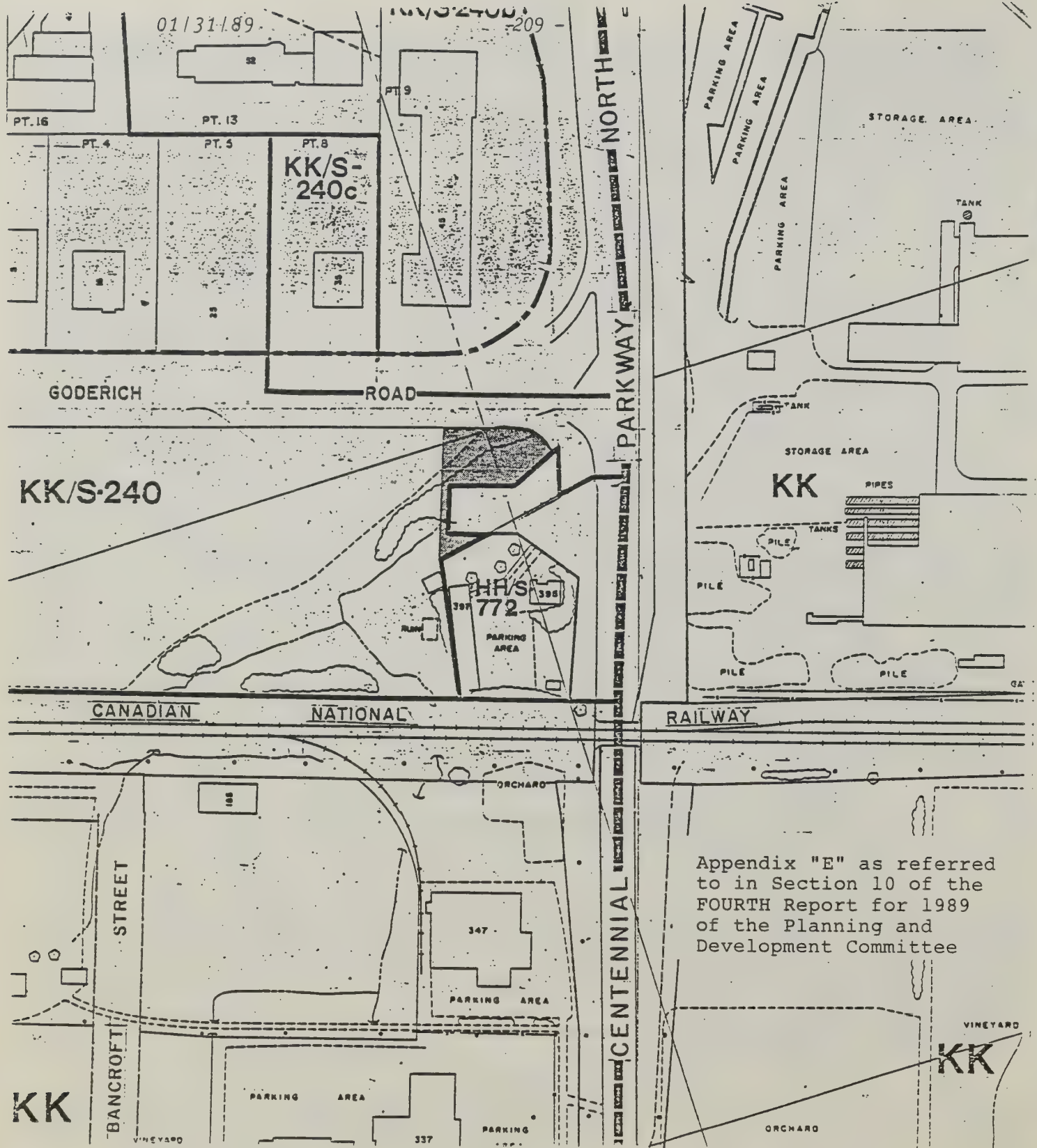


Site of the Application



ZA 88-95

APPENDIX A

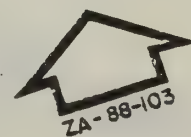


Appendix "E" as referred  
to in Section 10 of the  
FOURTH Report for 1989  
of the Planning and  
Development Committee

Legend



Site of the Application



PENDIX A



# REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its SECOND Report for 1989 and respectfully recommends:

1. That the request of the Participation House - Hamilton and District for permission to set up a display board in the second floor foyer from 1989 February 01 to February 16, be approved.
2. That the request of the Salvation Army, Hamilton Temple for the following arrangements in connection with the World Day of Prayer ceremony to be held Friday, 1989 March 03, be approved.
  - (a) Use of the Council Chambers for a rehearsal on Monday, 1989 February 27 from 7:00 p.m. to 9:00 p.m. and for the ceremony to be held from 11:00 a.m. to 2:00 p.m. on Friday, 1989 March 03.
  - (b) Providing coffee and tea for a reception in Room 219 following the ceremony.

Note: Funding for this expenditure to be charged to Account No. CH55313-84010 - Receptions, City Hall.

3. That approval be given for the use of the Council Chambers for a general membership meeting of the Hamilton Minor Hockey Council on 1989 March 01 at 7:30 p.m.
4. That the City of Hamilton endorse and support the 1989 Amstel Light Hamilton Marathon to be held in the City of Hamilton in May, 1989.

Note: Support for this event will be similar to that given for the 1988 Hamilton Marathon. As in the past three years, this has not been a request for financial assistance but rather support services from Parks, City Clerk's, Public Works, etc.



5. That approval be given to the action of the City Clerk's Department in directing the preparation of a cheque in the amount of \$500 which was awarded to Mr. Herb Barrett in recognition of his receiving the 1988 Hamilton Arts Award.

Note: This is a civic award which is presented annually on behalf of the City of Hamilton at a special ceremony. Funds have been allocated and are available in Account No. GR53439-20020.

6. (a) That the City of Hamilton purchase an ad in the special issue of the national publication of "Kin Magazine", a magazine featuring messages of support acknowledging the valuable work performed by the Kinsmen and Kinettes, at a cost of approximately \$410.  
  
(b) That the cost of this advertisement be financed from Account No. CH56302-12000, Advertising, City Clerk.

7. That the following resolution from the City of Etobicoke, be received.

WHEREAS there have been a significant number of heat-related deaths among the residents of nursing homes; and

WHEREAS it is obvious that measures must be taken to alleviate intense heat conditions experienced in the summer of 1988; and

WHEREAS there is a lack of consensus among experts regarding the best mechanism to remedy this problem; and

WHEREAS this matter is of concern to municipalities as it affects nursing home residents and their families living within the municipality;

THEREFORE BE IT RESOLVED that Etobicoke Council and the Board of Health urge the Ministry of Health to investigate measures to prevent further recurrences of this nature; such measures should be effective; acceptable to the residents of these institutions and closely monitored; and

FURTHER that this Motion be circulated to all Ontario municipalities of over 150 000 people and their health units for endorsement.

8. That no action be taken on the following resolution from the Town of Dundas dealing with the issue of the deposit of sanitary land fill material in quarries as this matter has already been dealt with by the Regional Engineering Services Committee.

"That the Minister of the Environment be advised that the Council of the Town of Dundas opposes the deposit of sanitary landfill material in any quarry above the Niagara Escarpment within fifteen miles of its face and urges that legislation be enacted as quickly as possible to prohibit this."

9. That no action be taken to change the name of the Co-ordinating Committee back to the Executive Committee.

Note: At its caucus meeting held 1988 November 30, City Council directed that the Legislation Committee be requested to consider changing the name of the Co-ordinating Committee back to the Executive Committee.

At its meeting held 1989 January 23, the Legislation Committee agreed to recommend to City Council that no action be taken to change the name back to the Executive Committee.

10. That the Legislation Committee conduct and complete, within the next ninety (90) days, a general public review of Licencing By-law No. 79-323 (as amended) respecting Taxi-cabs, including, but not limited to, the following matters:

- (a) The requirement of an applicant for a licence who is on the Taxi-cab Priority List to have actually engaged in operating a taxi-cab full time in the City as owner or driver or dispatcher for a period of at least two (2) consecutive years immediately prior to the date of consideration of his or her application by the Licencing Committee; and
- (b) A new administration fee to be paid by an applicant for a licence in order to be placed on the Taxi-cab Priority List and, afterwards, to be paid by the applicant, on an annual basis, in order to remain on the Taxi-cab Priority List.

11. That all references to the number of Bingo Lottery licences to be issued in the City of Hamilton as specified in Bingo Lottery By-law No. 78-130 as amended by By-law No. 87-18, Section 1(4), be repealed.

Note: For the information of the members of City Council, the City Solicitor's Office has advised that the municipality has no legislative authority to limit the number of bingo licences.

12. (a) That Bingo Lottery By-law No. 78-130 as amended by By-law No. 81-248 be further amended by deleting all reference to the prices of bingo game cards and inserting in lieu thereof reference to the City of Hamilton Licencing Committee being authorized to regulate the pricing of bingo cards.
- (b) That the City Solicitor be authorized and directed to consolidate the Bingo Lottery By-law No. 78-130 and amendments.
- (c) That the Province of Ontario be notified of the City of Hamilton's concern about the potential for saturation of the bingo market within Hamilton.

(d) That the Province of Ontario be made aware of the potential impact on Hamilton organizations by the effect of bingo operations in neighbouring municipalities.

(e) That the City of Hamilton Licencing Committee be requested to consider the regionalization of Bingo Lottery licences.

- \*13. That the installation of a permanent Canadian Football Hall of Fame and Museum sign at the north-east corner of the City Hall property in the vicinity (east of) the wheelchair access leading to Main Street West, not be approved.

Note: The above matter dealing with the exact location of the sign was lost on a tie vote at the meeting of the Legislation Committee 1989 January 23 and in accordance with established policy is not being submitted to City Council for its consideration and disposition.

It should be noted that at its meeting held 1988 December 13, City Council in adopting Section 9 of the FIRST Report of the Legislation Committee approved of the installation of a permanent Canadian Football Hall of Fame and Museum sign on City Hall property conditional upon the Legislation Committee approving the exact location of the sign.

- \*\*14. That the City Hall Open House Program which has been held once every year for the past six years, be discontinued.
- \*\*\*15. For the information of the members of City Council, the Legislation Committee has approved of the following appointments to the Sub-Committees listed below:

French Sub-Committee

(Term of Office Expires November 30, 1991)

Alderman G. Copps  
Marie Patenaude Barker  
Anne Gravereaux  
A. J. Lafreniere  
Ryan M. Paquette  
Denise Beauchemin  
Rodger Paquette  
Laurent Turenne

\* Motion to refer back lost  
Section 13 amended, see page 218  
Recorded vote, see page 137

\*\* Section 14 amended, see page 218  
Recorded vote, see page 137

\*\*\* Alderman G. Copps replaced by Mayor R. M. Morrow



Hamilton Farmers' Market Sub-Committee

(Term of Office Expires November 30, 1991)

Alderman F. Lombardo

Bud Hubbard - Hamilton Farmers' Market  
Stallholders Association

Ken Gunson - Hamilton Farmer's Market  
Stallholders Association

Gregory Fralieggh - Citizen

- \*16. (a) That approval be given to the action of the Legislation Committee in purchasing an ad in a special supplement of the Hamilton Spectator in the amount of \$450 acknowledging and congratulating the Hamilton Public Library on the occasion of its 100th Anniversary.
- (b) That the cost of this advertisement be financed from Account No. CH56302-12001 Advertising, City Clerks.
17. That approval be given to the action of the Legislation Committee in authorizing the use of City Hall facilities as summarized below:
- (a) Hamilton Injured Workers Committee, City Hall forecourt, Friday 1988 December 23 for the purpose of holding a vigil in memory of all injured workers and all workers who have tragically lost their lives in the workplace.
- (b) Ukrainian Canadian Committee, Hamilton Branch, Council Chambers, Saturday, 1989 January 21 for a proclamation ceremony proclaiming "Independence Day" in the City of Hamilton.
- (c) Gathering Records Ltd., City Hall forecourt on Saturday, 1989 January 28 at 12:00 o'clock noon for staging a photo shoot of a gathering of personnel from the Arts and Entertainment field for a poster and album cover.
18. That leave be granted to introduce the following Bill:
- Bill E-2                      A By-law To Repeal By-law No. 87-234 and  
                                 By-law No. 87-294 and to Amend  
                                 Licencing By-law No. 79-323 Respecting  
                                 Flea Markets.

- \* 19. (a) That Section 1(a)(iii) of the SEVENTH Report of the Legislation Committee adopted by City Council on May 10, 1988 which provides for a "freeze" on the issuance of Livery Vehicle Licences be amended so as to provide for a sixth month freeze only.
- (b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law to provide for this sixth month freeze.
- \*\* 20. That leave be granted to introduce the following Bill:
- Bill E-3                      A By-law Respecting Livery Vehicle Licences.

Respectfully Submitted,

Alderman V. J. Agro, Chairman  
Legislation Committee

John Thompson, Secretary  
1989 January 23

mjlw

\* Section 13, first paragraph, amended to read:

13. That the installation of a permanent Canadian Football Hall of Fame and Museum sign at the north-east corner of the City Hall property in the vicinity (east of) the wheelchair access leading to Main Street West be approved.

\*\* Section 14 amended to read:

14. That the City Hall Open House Program which has been held once every year for the past six years be held once every three years in the second year of each Council term.

\* Section 19 added during Council

\*\* Section 20 added during Council

REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIRST Report for 1989 and respectfully recommends:

1. That the position of Curator, The Hamilton Museum of Steam and Technology be slotted in Non Union pay grade "M".

NOTE: The Annual salary range for the "M" pay grade is \$32,604.00 to \$38,364.56, and funds are accommodated within the existing budget.

The position was evaluated by the City's Job Evaluation Committee to be within the "M" point range. The evaluation is identical to existing Museum Curatorial positions of comparable size.

For the information of members of Council, the Personnel Committee have directed that a staff Engineer be part of the Interviewing Team for this position.

2. That the rate of pay for the position of Cashier/Receptionist, Main-Hess Seniors Centre be changed from \$4.999 to \$8.694 per hour effective 1988 October 31.

NOTE: There are sufficient funds within the 1988 budget to provide for the retroactive wage increase. 1989 budget estimates will include the hourly rate increase.

The job responsibilities have been expanded significantly. The recommended rate is consistent with other similar positions within Culture & Recreation.

3. That the Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1989 January 6, attached hereto and marked Appendix "A", BE APPROVED.

Respectfully submitted,

Alderman B. Hinkley, Chairman  
Personnel Committee

Susan K. Reeder  
Secretary  
1988 January 25



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Evelyn Auchincloss	Stenographer IV (E-2)	City Solicitor's	replacing Ms. R. Blanchard - transferred	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	Dec. 19, 1988
Ms. Rae Blanchard	Typist Clerk II (E-2)	Public Works	replacing Ms. B. McKinlay - promoted	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	Dec. 19, 1988
Mr. Franco Calvise	Rink Attendant I (D-9)	Culture & Recreation	replacing Mr. E. Fodek - promoted	\$12.192 to \$12.392	\$12.392 per hour (2 of 2)	Nov. 28, 1988
Mr. Ivan L. Carter	Assistant Manager, Property Maintenance (I)	Property	replacing Mr. D. Inglis - returned to former position	\$45,102.20 to \$53,144.52	\$45,102.20 per annum (1 of 5)	Dec. 19, 1988
Ms. Juliet Chow	Clerk Typist I (E-3)	Treasury	replacing Ms. J. Collins - promoted	\$361.95 to \$391.04	\$361.95 per week (1 of 3)	Aug. 31, 1988
Ms. Lorraine Clalmont	Typist Clerk II (E-2)	Building	replacing Ms. C. Thompson - resigned	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	Dec. 5, 1988
Mr. Vince DiPietro	Senior Property Officer/Appraiser	Property	replacing Mr. N. Li - resigned	\$659.99 to \$755.21	\$659.17 per week (3 of 6)	Dec. 29, 1988
Mr. Alberto Filice	Foreman/Woman I (Districts) (11-C)	Public Works	replacing Mr. J. Buzit - promoted	\$31,351.84 to \$37,523.20	\$37,523.20 per annum (3 of 3)	Nov. 28, 1988

Prepared 06 January 1989

Appendix "A" as referred  
to in Section 3 of the  
FIRST Report for 1989  
of the Personnel  
Committee

01/31/89

01/31/89

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THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. William Janssen	General Manager, Municipal Non-Profit (Hamilton) Housing Corporation	Community Development	replacing Ms. R. Campbell - resigned	\$43,145.96 to \$50,862.24	\$44,993.52 per annum (2 of 5)	Dec. 26, 1988
Ms. Linda J. Juchniewicz	Traffic Checker (B-3)	Traffic	replacing Mr. J. Manta - promoted	\$407.68 to \$451.95	\$407.68 per week (1 of 4)	Dec. 05, 1988
Mr. Brian R. Keenan	Motor Mechanic Helper (D-9)	Central Garage (division of Public Works)	replacing Mr. C. Hewell - promoted	\$12,192 to \$12,392	\$12,192 per hour (1 of 2)	Dec. 12, 1988
Mr. Derrick J. Lariviere	Equipment Mechanic II (D-11)	Central Garage (division of Public Works)	replacing Mr. G. Kudlowich - promoted	\$12,391 to \$12,591	\$12,391 per hour (1 of 2)	Dec. 05, 1988
Mr. Basil Maraj	Foreman/Woman II (Districts) (12-C)	Streets & Sanitation (division of Public Works)	replacing Mr. A. Filice - promoted	\$28,976.48 to \$34,604.96	\$34,604.96 per annum (3 of 3)	Nov. 28, 1988
Ms. Deborah Marsh	Junior Payroll Clerk (A-5)	Treasury	replacing Ms. E. Maloney - resigned	\$438.55 to \$515.09	\$438.55 per week (1 of 5)	Dec. 05, 1988
Ms. Carolyn Mella	Sales Executive (12)	Convention Centre (division of H.E.C.F.I.)	replacing Mr. S. Farrauto - promoted	\$27,278.68	\$27,278.68 per annum	Dec. 27, 1988
Ms. Donna M. Morrison	Cleaner (C-1)	Property	replacing Ms. G. Goodman - retired	\$8,533	\$8,533 per hour	Dec. 05, 1988

Prepared 06 January 1989

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Tyrone Perry	Foreman/Woman III (Districts) (13-C)	Public Works	replacing Mr. R. Pyne - transferred	\$27,837.68 to \$31,969.90	\$27,837.68 per annum (1 of 3)	Dec. 12, 1988
Mr. Robert G. Pyne	Foreman/Woman III (Districts) (13-C)	Public Works	replacing Mr. B. Paraj - promoted	\$27,837.68 to \$31,969.60	\$29,903.64 per annum (2 of 3)	Nov. 28, 1988
Mr. Dean P. Reid	Traffic Serviceman/ Woman II (A-3)	Traffic	replacing Mr. D. Crabbe - promoted	\$394.30 to \$447.93	\$394.30 per annum (1 of 4)	Nov. 21, 1988
Ms. Margot Smeenk	Traffic Design Engineer (K)	Traffic	replacing Mr. B. Malone - promoted	\$38,038.00 to \$44,776.16	\$38,038.00 per annum (1 of 5)	Dec. 29, 1988
Mr. Steve B. Teal	Building Inspector (A-12)	Building	replacing Mr. B. Reilly - resigned	\$568.12 to \$669.97	\$568.12 per week (1 of 5)	Nov. 20, 1988
Ms. Kim A. Turner	Junior Accounting Clerk (6)	Corps Coliseum (division of H.E.C.F.I.)	replacing Ms. P. Smith	\$18,800.08	\$18,800.08 per annum	Dec. 12, 1988

Prepared 06 January 1989

01/31/89



THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. George A. Bland	Firefighter	Fire	Retired	35 years	December 31, 1988
Mr. David W. Hildrop	Lieutenant	Fire	Retired	35 years, 7 months	November 30, 1988
Mr. Norman MacPherson	Captain	Fire	Retired	30 years, 6 months	December 31, 1988
Ms. Eileen Maloney	Junior Payroll Clerk	Treasury	Resigned	9 years, 4 months	December 02, 1988
Mr. Thomas McDade	Lieutenant	Fire	Retired	34 years, 3 months	November 30, 1988
Ms. Margaret Moxford	Booking Co-ordinator/ Secretary	Convention Centre (division of H.E.C.F.I.)	Resigned	1 year, 2 months	December 16, 1988
Mr. Wesley Smith	Truck Driver	Public Works	Retired	7 years, 2 months	December 02, 1988
Mr. William Taylor	Firefighter	Fire	Retired	30 years, 6 months	December 31, 1988
Mr. Steve J. Vanderveen	Probationary Firefighter	Fire	Terminated	6 weeks	November 30, 1988

Prepared 06 January 1989

## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That the cost of fabricating and installing crew cabs for two new sanding units, No. 9687 and No. 9688, at a cost of \$6 000 each for a total of \$12 000, be charged to Account No. 0280-01 - Reserve for Replacement of Mobile Equipment.
2. That a purchase order be placed with Lilo Products, Hamilton in the total amount of \$95 548.50 for various janitorial paper in accordance with specifications issued by the Manager of Purchasing and unit price in Vendor's tender.

Note: Lowest of four (4) tenders received. Funds provided in various accounts.

3. That the City exercise its option to extend the existing agreement with Skylight Window Cleaning Company, Hamilton, to wash windows at various civic buildings, including City Hall originally approved as Section 5 of the TENTH Report of the Finance Committee for 1987 and approved by City Council 1987 July 23.

Note: Only acceptable tender received. Funds provided in various accounts. The following are the rates approved by City Council 1987 July 23.

	<u>First Term ending December 31, 1988</u>	<u>Second Term ending December 31, 1991</u>
Various Civic Buildings	\$43 087.15	\$69 096.58
City Hall	27 737.15	44 962.23

4. That purchase orders be issued for the supply and delivery of safety shoes, boots, and rubber footwear as and when required by Purchasing Stores in 1989, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders as follows:

(a) Emille Shoes Limited, Burlington

safety shoes	\$39.97 pair
winter safety boots 10"	29.38 pair

(b) Tatra Shoe Manufacturing, Dunnville

safety boots 6"	\$35.00 pair
safety boots 8" insulated	47.00 pair
safety boots 8" non-insulated	39.95 pair

provincial sales tax extra at 8%

Note: (a) Lowest of seven (7) tenders received.

(b) Lowest of six (6) tenders received.

Funds provided in Stores Inventory Account No. CH56103 28999.

5. That a purchase order be issued to Charles Jones Industrial Ltd., Stoney Creek in the amount of \$28 560.41 for the supply and delivery of shovels, rakes, forks, hoes, etc., as and when required by Purchasing Stores in 1989, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of seven (7) tenders received. Funds provided various stock inventory accounts.

6. That the City exercise its option to extend the existing agreement with General Tire (formerly Astro Tire) Hamilton, for the supply of tires and tire maintenance as outlined in the schedule of rates for the Third Term of the agreement originally approved by City Council in adopting Section 8 of the NINETEENTH Report for the 1986 Finance Committee.

Note: Lowest of four (4) tenders received. Funds provided in various accounts. The following are the prices approved by City Council in 1986.

Rates for First 12 Months

Tire Maintenance	\$ 3 500 per month
Emergency Calls	38 per emergency call
Tires, approximately	34 352
	All Plus 7% P.S.T.



Second Term

Tire Maintenance  
Tires

No Increase  
4% Increase

Third Term

Tire Maintenance  
Tires

5% Increase  
5% Increase

7. That the City exercise its option to extend the existing agreement with Gillies Guy, Hamilton for the supply and delivery of domestic fuel as and when required to various departments originally approved as Section 2 of the THIRTEENTH Report of the 1988 Finance Committee and approved by City Council 1988 October 30.

Note: Lowest of two (2) quotations received. Funds provided in various accounts. The following are the prices approved by City Council 1988 October 30.

No. 2 Furnace OilStove Oil

.1825 per litre

.1925 per litre

Based on Toronto Rack Price, subject to change in taxes and the published price in the Oil Buyers' Guide.

8. That a purchase order be issued to Contran Mfg. (1982) Ltd., London for the supply and delivery of a command post/hazardous materials unit in accordance with Vendor's proposal for a total sum of \$154 845.73.

Note: Only acceptable proposal. Funds available in Replacement of Vehicle Account No. RF 55002-25201.

9. That a purchase order be issued to Data Terminal Sales, Hamilton, in the amount of \$20 719.80 for the purchase of three (3) electronic cash registers for the Treasury Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's quotation.

Note: Lowest of four (4) quotations received. Funds provided in Motorized Equipment Account No. 0280-31.

As these machines are required prior to the first 1989 tax bill notices being sent out, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

10. That a purchase order be issued to Meszaros Wrecking, Brantford in the amount of \$27 000 to supply all labour and equipment necessary for the demolition of 405, 407, 409 and 411 Sherman Avenue North, Hamilton in accordance with specifications issued by the Manager, Real Estate Division and Vendor's quotation.

Note: Lowest of three (3) quotations received. Funds provided in Enclaves Clearance Programme Account No. 0408-W75266.

Because this work cannot be approved by City Council until late January 1989, there will be additional security costs and continually boarding up of the property for protection of the property and citizens, this order has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

11. (a) That authorization be given for the Corporation of the City of Hamilton to enter into a Parts and Labour Service Agreement with Bell Canada to maintain the City's telephone system in City Hall from 1988 October 16 to 1989 October 15 on a "fee for service" basis at a total estimated cost of \$50 000.
- (b) That the Mayor and City Clerk be authorized to execute the Service Agreement on behalf of the City, which Agreement shall be in a form satisfactory to the City Solicitor.
12. (a) That the City of Hamilton renew the lease of 5 032.75 square feet on the first floor of 74 Hughson Street South with the Canadian Mental Health Association for a period of three years commencing 1988 December 01 and terminating 1991 November 30; and
- (b) That the Mayor and City Clerk execute a lease document satisfactory to the City Solicitor.

Note: The Rent Schedule for the aforementioned space is calculated as follows:

5 032.75 square feet @ \$11.50 per square foot per annum ..... \$57 876.62  
to be paid in advance in equal monthly installments of \$4 823.05 on the first day of each month commencing 1988 December 01. The aforementioned rent includes taxes which amounted to \$10 130.27 for 1988.

In addition to rent paid by the Canadian Mental Health Association, it is responsible for their proportionate share of the increase in operating costs and realty taxes over the Base Year of 1988.

Included in the rent paid are the availability of ten parking spaces.

The Canadian Mental Health Association will also cost share with the Regional Health Department for the parking lot snow removal as well as the costs incurred to provide the building's security system.

The lease shall contain a clause whereby the City upon one year's written notice may terminate the lease.

13. That the prelevy residential and non-residential mill rates for 1989 be established at figures slightly below 50% of the 1988 respective mill rates as follows:

(a) (i) That a real property tax prelevy mill rate of 149 mills be established for 1989 to be billed in two installments of 74.5 mills each, payable 1989 February 28 and March 31. This prelevy rate represents 49.794% of the 1988 residential mill rate.

(ii) That a business tax prelevy mill rate of 176 mills be established for 1989 to be billed in one installment, payable 1989 February 28. This prelevy rate represents 49.994% of the 1988 non-residential mill rate.

(b) That a non-metered water and sewer surcharge prelevy, be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1988 charge to be billed in two equal installments, payable 1989 February 28 and March 31.

- \* 14. That the user fee for the purchase of bus passes and tickets for Group "A" (Disabled and Handicapped Persons) be increased from \$25 to \$28 per month (bus passes) and 65 cents to 70 cents per ticket effective for the sale of bus passes for March 1989 and tickets 1989 February 01.

15. That the user fee for the purchase of an annual bus pass for senior citizens (age 70 and over) be increased from \$28.75 to \$30 annually (from \$2.40 to \$2.50 per month) effective for the renewal of annual bus passes valid from 1989 April 01 to 1990 March 31.

Note: The 1989 - 1990 annual bus pass will be available only to those seniors who were in receipt of a pass which expired 1989 March 31.

16. That the Treasurer be authorized to prepare the necessary by-law for the authorization to borrow monies to pay off bank overdrafts for 1989, as and when they arise for current expenditures to a maximum of \$8 000 000.

\* Recorded vote, see page 142



- \*17. That a policy be established whereby the City of Hamilton shall not provide funding for heritage conservation, protection and preservation for properties not owned by the City of Hamilton.

Note: For the information of the members of City Council, all funds for the protection, preservation and restoration of historic buildings are provided by the Ontario Heritage Foundation. Additional funding is received by the Ontario Heritage Foundation from the owners of the property. To date, the City of Hamilton has never provided such funding except for its own properties.

18. That the Summary Report attached hereto as APPENDIX "A" containing a listing and amounts of approved Settlement of Claims be received and that a copy of approved Settlement of Claims be forwarded to City Council for information in accordance with approved policy.

19. That leave be granted to introduce the following Bill:

Bill G-1

By-law to Authorize the Borrowing of  
\$8 000 000 to Finance Bank Overdrafts as  
and when they Arise from Current Expenditures.

Respectfully Submitted

Alderman W. M. McCulloch, Chairman  
Finance Committee

John Thompson, Secretary  
1989 January 24

njw

\* Section 17 amended to read:

17. That a policy be established whereby the City of Hamilton shall not provide funding in the form of grants for heritage conservation, protection and preservation for properties not owned by the City of Hamilton.

APPENDIX "A" as  
referred to in  
Section 18 of the  
THIRD Report of the  
Finance Committee

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Marjorie Dunnville	City of Hamilton	Trip and Fall 1988 May 09	\$ 612.58
Vlad Associates	City of Hamilton and Kucserpa	Subrogated Workers' Compensation Board Claim 1988 August 22	\$4 200.00

REPORT OF THE INFORMATION SYSTEMS COMMITTEE

The Information Systems Committee met at 9:30 o'clock a.m. on Thursday, 1989 January 26 in the Committee Room, 15th Floor, Regional Offices.

Present: Chairman (Councillor) J. Gallagher  
Councillor S. Napper  
Councillor M. Kiss  
Councillor G. Copps  
Councillor A. Sloat

Members of Council:

The Information Systems Committee presents Report 1-89.

1. APPOINTMENT OF PERMANENT SECRETARY AND COMMITTEE MEETING SCHEDULE

Your Committee recommends:

- (a) That John D. Thompson, Legislative Assistant, City Clerk's Department be appointed permanent secretary of the Information Systems Committee.
- (b) That approval be given to the calendar of meeting dates for the Information Systems Committee as detailed on the attached Schedule "A".

Agenda Item #2

Respectfully Submitted,

J. Gallagher, Chairman

John Thompson, Acting Secretary  
1989 January 26

\*\*\*\*\*



## FOR THE INFORMATION OF COUNCIL

(a) MINUTES

The minutes of the meeting of the Information Systems Committee held 1988 October 27 were received and adopted as presented.

Agenda Item #1

(b) PRESENTATION BY DIRECTOR OF INFORMATION SYSTEMS

The Committee received a presentation concerning the history of information technology and the challenging aspects of Information Systems Services in the 1990's. The presentation also included an overview of the major Information Systems Projects currently underway and an outline of the Management plan for the Department.

Agenda Item #3

(c) EMPLOYEE COMPUTER LITERACY INCENTIVE PROGRAMME

This item was referred to the Regional and City Solicitor's for a legal opinion on possible conflicts of interest of employees and elected representatives with respect to the current corporate purchasing policy and code of ethics.

(d) 1989 - 1993 CAPITAL BUDGET SUBMISSION FOR THE CITY OF HAMILTON

This item was referred to the City of Hamilton Co-ordinating Committee for consideration in the 1989 - 1993 Capital Budget.

Agenda Item #5

## (e) The following items were received for information:

(i) Status of Information Systems Re-organization

Agenda Item #6

(ii) Co-ordination of Information Systems and Related Projects for the Region and City

Agenda Item #7

Schedule "A"

Information Systems Committee

Schedule of Meetings for 1989

(Thursday prior to the last Tuesday of each month)

Regional Offices  
15th Floor Committee Room  
9:30 o'clock a.m.

January 26

February 23

March 23

April 20

May 25

June 22

July 20

August 24

September 21

October 26

November 23

December --

Schedule "A" as referred  
to in Section 1 of  
Report 1-89 of the  
Information Systems  
Committee





MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, FEBRUARY 14, 1989  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Smith, Jackson, Merling, Gallagher,  
Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

It was moved by His Worship Mayor Robert M. Morrow and seconded by Alderman Gallagher.

RESOLVED: that Rule 5 of Procedural By-law 82-203 be invoked for this meeting of City Council. - CARRIED.

\* \* \* \* \*

The minutes of the meeting of January 31, 1989, were taken as read and approved.

\* \* \* \* \*

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Adisco Limited, 158 Hester Street, Hamilton, Ontario, for a change in zoning, property located in the area south of Stonechurch Road East, east of the Hydro Right-of-Way, dated January 31, 1989.
2. Application from Starward Homes Limited, 152 Hester Street, Hamilton, Ontario, for a change in zoning, property located on the north side of Stonechurch Road West, in the area east of Garth Street, dated January 31, 1989.
3. Application from Giovanni Marazato, 142 Stonechurch Road West, Hamilton, Ontario, for a change in zoning, property located at 142 Stonechurch Road West, dated February 3, 1989.
4. Application from DeMarchi Construction Limited, 278 Barton Street East, Stoney Creek, Ontario, for a change in zoning, property adjacent to No. 291 Crays Road, dated February 7, 1989.
5. Application from DiCenzo Construction Co. Ltd., 205 Quigley Road, Unit 2, Hamilton, Ontario, for a change in zoning, property located on the south side of Rymal Road East and east of Miles Road, dated February 7, 1989.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Ross in the chair.

\*\*\*\*\*

(A) CO-ORDINATING COMMITTEE - FOURTH REPORT.

\*\*\*\*\*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FOURTH REPORT.

Recorded vote on Section 10.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: Alderman Copps. - 1. CARRIED.

\*\*\*\*\*

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 6 of the SECOND Report of the Transport and Environment Committee, adopted by City Council at its meeting held January 31, 1989, reading as follows:

"6. (a) That the City of Hamilton discontinue supplying potable water to rural areas; and

(b) That the residents be notified 1 month in advance of the discontinuance of water deliveries.

NOTE: i. the delivery of water costs the City of Hamilton approximately \$25,280. to service approximately 18 residences

ii. not all of the revenue from the delivery of the potable water is readily forthcoming from these residents

iii. other local area municipalities do not get involved with the delivery of potable water to rural residences"

be reconsidered. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Jackson and seconded by Alderman Smith.

RESOLVED: that Section 6 be referred back. - CARRIED.

\*\*\*\*\*

(C) PARKS AND RECREATION COMMITTEE - FOURTH REPORT.

It was moved by Alderman Murray and seconded by Alderman Gallagher.

RESOLVED: that Section 7, reading as follows:

"7. That the City Solicitor be authorized and directed to re-apply to the Ontario Municipal Board for approval of funding in the amount of \$6,605,000. to construct a Twin Pad Arena/Track complex at the Olympic Park location on Mohawk Road West and Upper Horning Road." -

be deleted and the following substituted in lieu thereof:

"7. That City Council reconfirm its decision for a multi-purpose Community Sports Complex on the West Mountain, subject to receipt of the Consultants' Report on the Short, Medium and Long Term Needs for Community Arena Facilities, and that staff take all necessary steps to ensure adequate funding within the 1989-1994 Portion of the Capital Budget." - CARRIED.

\*\*\*\*\*

It was moved by Alderman Gallagher and seconded by Alderman Murray.

RESOLVED: that Section 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider the addition of Section 9 dealing with 1989 golf fees for Chedoke and King's Forest Golf Courses. - CARRIED.

\*\*\*\*\*



It was moved by Alderman Gallagher and seconded by Alderman Murray.

RESOLVED: that the following be added as Section 9.

"9. That the following adjustments be made to the 1989 golf fees for Chedoke and King's Forest Golf Courses:

- \*(i) membership fees be increased by 5% across-the-board.
- \*\* (ii) green fees be increased by \$1.00.
- \*\*\* (iii) no change to the 30% surcharge for out-of-town fees.

\*Recorded vote on Sub-Clause (i).

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\*\*Recorded vote on Sub-Clause (ii).

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15.

NAYS: 0 - CARRIED.

\*\*\*Recorded vote on Sub-Clause (iii).

YEAS: Aldermen Cooke, McCulloch, Smith, Jackson, Gallagher, Ross, Murray. - 7.

NAYS: Aldermen Kiss, Agro, Hinkley, Drury, Copps, Christopherson, Agostino, Merling. - 8. LOST.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - FIFTH REPORT.

Alderman D. Ross declared personal interest in, took no part in the debate, and refrained from voting on Section 6 as his wife owns a store on Ottawa Street.

\* \* \* \* \*

It was moved by Alderman Murray and seconded by Alderman McCulloch.

RESOLVED: that Section 21 be amended by adding the following, after the word "staff" in the fourth line:

"That the Alderman of the particular Ward who does not sit on the Planning and Development Committee be also notified unless he or she indicates otherwise." - CARRIED.

\*\*\*\*\*

Recorded vote on Subsection (a) of Section 26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Christopherson, Agostino, Smith, Jackson, Merling, Ross. - 11.

NAYS: Alderman Murray. - 1. CARRIED.

\*\*\*\*\*

Recorded vote on Sub-Clause (i) of Subsection (a) of Section 26.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Agostino, Smith, Jackson, Merling, Ross, Murray. - 11.

NAYS: Alderman Christopherson. - 1. CARRIED.

\*\*\*\*\*

(D) PLANNING AND DEVELOPMENT COMMITTEE - FOURTH REPORT.

It was moved by Alderman Gallagher and seconded by Alderman Christopherson.

RESOLVED: that Section 2, respecting the composition of the Municipal Non-Profit (Hamilton) Housing Corporation, which was adopted by City Council on January 31, 1989, be reconsidered. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Gallagher and seconded by Alderman Christopherson.

RESOLVED: that Section 2 be amended by deleting the figure "5" before the words "Citizen Members" in the third line and substituting in lieu thereof the figure "6" and, further, by adding the following as Subsections (a) and (b).

"(a) That the terms of office for the 6 Citizen Members be staggered so as to provide for 2 members' term of office to expire November 30 each year.

(b) That the Municipal Non-Profit (Hamilton) Housing Corporation elect its own Chairman annually." - CARRIED.

\*\*\*\*\*

It was moved by Alderman Gallagher and seconded by Alderman Christopherson.

RESOLVED; that Section 2 be adopted, as amended. - CARRIED.

\*\*\*\*\*

(E) LEGISLATION COMMITTEE - THIRD REPORT.

\*\*\*\*\*

(G) FINANCE COMMITTEE - FOURTH REPORT.

\*\*\*\*\*

(H) LICENSING COMMITTEE - SECOND REPORT.

\*\*\*\*\*

It was moved by Alderman Agostino and seconded by Alderman Christopherson.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution dealing with Ivor Wynne Stadium and the Hamilton Tiger-Cat Football Club. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: 1) That the City of Hamilton enter into a contract with Mr. D. O. Braley, In Trust, for a Corporation yet to be incorporated, and without personal liability, for the leasing of Ivor Wynne Stadium and his acquisition of the Hamilton Tiger-Cat Football Club and, further, that the following items be agreed upon in order to facilitate Mr. Braley's acquisition of the Hamilton Tiger-Cat Football Club:

2) That Maple Leaf Gardens offer to sell the scoreboard and the concession equipment at Ivor Wynne Stadium to either the City of Hamilton or the Hamilton East Kiwanis Club. The sale price to be \$500,000.00 for the scoreboard and \$200,000.00 for the concession equipment. Maple Leaf Gardens in turn will donate the sum of



\$700,000.00 to either the City of Hamilton or the Hamilton East Kiwanis Club in return for a tax receipt in the said amount of \$700,000.00.

- 3) That, in return, the Corporation of the City of Hamilton issue a Release and Waiver with respect to the application of Maple Leaf Gardens for its use of Ivor Wynne Stadium and the Municipal Golf Courses owned and operated by the City of Hamilton, both with respect to the Hamilton Tiger-Cat Football Club and to the concession businesses for the year 1988 and, further, that the City release the Letter of Credit which secures these applications which was issued by Maple Leaf Gardens through the Toronto Dominion Bank.
- 4) That the City enter into an Agreement with the new owners of the Hamilton Tiger-Cat Football Club for the leasing of Ivor Wynne Stadium and the operation of the concessions at the Stadium, and to give them all advertising rights at the Stadium, including advertising on the scoreboard, for the nominal sum of \$1.00 per annum.
- 5) That the City of Hamilton actively participate in the reduction of the deficit of the Hamilton Tiger-Cat Football Club by:
  - (a) making available its facilities at reasonable rates to the Hamilton Tiger-Cat Football Club (facilities such as Copps Coliseum, and the Convention Centre), for the purpose of conducting fund-raising events.
  - (b) supporting, with Provincial approval, of Bingo Licences, etc., by the Hamilton Tiger-Cat Football Club, to be used for fund-raising.
  - (c) that the City participate, through the Hamilton Tiger-Cat Football Club, with the marketing, promotion, and purchase of advertising, in an amount not to exceed \$300,000.00 per annum for three (3) years 1989-1991, all for the purpose of helping to reduce the deficit.

The City will also acquire, place, and own ten billboards at a cost not to exceed \$125,000.00 to be placed in Ivor Wynne Stadium which will be used and controlled by the owners of the Hamilton Tiger-Cat Football Club.

  - (d) That, in the event the Football Club is operated as a commercial venture and an operating profit is derived and/or a capital gain is realized from the sale of the franchise, the City's financial contribution must first be repaid.
- 6) That the Hamilton Tiger-Cat Football Club explore, as soon as is practical, a non-profit status for the organization.
- 7) That the financial records of the Football Club be open for inspection by the City at any time. -

YEAS: Mayor Morrow; Aldermen Cooke, Agro, Hinkley, Drury, Christopherson, Agostino, Jackson, Gallagher, Ross, Murray. - 11.

NAYS: Aldermen Kiss, McCulloch, Copps, Smith, Merling. - 5. CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Jackson, Merling, Murray. - 11.

NAYS: 0 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-8,  
B-29, B-30, B-31, B-32,  
D-16, D-17, D-18, D-19, D-20, D-21, D-22 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Ross in the chair.

A-8,  
B-29, B-30, B-31, B-32,  
D-16, D-17, D-18, D-19, D-20, D-21, D-22.

\*\*\*\*\*

Consideration of the Bills (second reading).

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time.

A-8,  
B-29, B-30, B-31, B-32,  
D-16, D-17, D-18, D-19, D-20, D-21, D-22.

YEAS: Aldermen Cooke, Kiss, Agro, McCulloch, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Ross, Murray. - 13.

NAYS: 0 - CARRIED.

\*\*\*\*\*

City Council adjourned at 11.40 o'clock, p.m.

\*\*\*\*\*



## REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its FOURTH Report for 1989 and respectfully recommends:

1. (a) That the development covenants contained in the City's deed 438826C.D. to 52 James Street South Limited (John C. Davies) for the former Bank of Montreal building be amended as follows:

- (i) Covenant (i) be amended by deleting the reference to the office tower development slated for the adjacent lands being integrated with the Bank of Montreal and adding in its place "to be integrated with the development of a Seniors Apartment - Hotel complex of approximately fifteen (15) stories in height to be completed by March 30, 1991."

- (ii) Covenant (i) shall be further amended as follows:

- "(i) That subject to the completion of the rezoning of the adjacent property, that the original site plan agreement registered as No. 433425C.D. be amended by the owner at its own cost to reflect the new development proposed. Said new site plan must be registered."

- (b) That the owner enter into an agreement with the City to amend all the aforementioned changes and additions to the City's deed 438826C.D. in a form satisfactory to the City Solicitor.
  - (c) That the appropriate City Officials be authorized to execute the required documentation.
  - (d) That all other terms and conditions contained in the deed 438826C.D. shall remain the same and in full force and effect and time shall remain of the essence.

NOTE: Copies of a report from the Director of Property to the Co-ordinating Committee, dated February 2, 1989, setting out details relative to this matter were previously forwarded to Members of City Council.

Additional copies, if required, are available from the Secretary, Co-ordinating Committee.

02/14/89

2. That the Council of the Municipality of Hamilton-Wentworth be requested to assume responsibility for municipal funding for the Hamilton Society for the Prevention of Cruelty to Animals.
3. That leave be granted to introduce the following Bill:
  - (a) Bill A-8      A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
CO-ORDINATING COMMITTEE

J. J. Schatz  
Secretary  
1989 February 9  
/bc

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FOURTH Report for 1989 and respectfully recommends:

1. That a purchase order be issued to G. F. Mason Excavating Ltd., Fruitland for the supply and delivery of Top Soils as and when required during 1989 in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

Shredded Top Soil	\$10.00 per yard
Shredded Manure	11.00 per yard
Regular Top Soil	8.50 per yard
Rotted Manure	10.30 per yard

NOTE: Lowest of two (2) tenders received. Funds provided in Various Accounts.

2. That the fee for the maintenance of banner poles and the installation of banners over Main Street be increased from \$150 to \$160.

NOTE: Last year, the cost for changing the banners over Main Street was reviewed and upgraded from \$125 to \$150.

At that time, no provision was included to recover a portion of the capital cost for the banner poles or the anchor cables. Recently, it has come to staff's attention that the banner poles will have to be replaced in approximately 10 years due to metal fatigue. As well, the constant stress and vibration will require the replacement of the anchor cables every three years.

3. (a) That a "One Hour Parking Time Limit, 9:00 a.m. to 2:00 p.m., Monday to Friday" regulation be implemented on both sides of Green Meadow Road between Queensdale Avenue East and Everton Place; and
- (b) That a "One Hour Parking Time Limit, 9:00 a.m. to 8:00 p.m., Monday to Friday" regulation be implemented on the west side of Columbia Drive between Delmar Drive and a point 52 feet south of the northerly end of the Street; and
- (c) That a "One Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week, be implemented on both sides of Simcoe Street West between MacNab Street North and Bay Street North; and



- (d) That parking be prohibited on the north side of Franklin Road between Upper Wentworth Street and East 24th Street; and
  - (e) That City Traffic By-law 66-100 be amended accordingly.
- 4.
- (a) That a School Traffic Officer be assigned to the intersection of Wentworth Street and Delaware Avenue.
  - (b) That the Finance Committee be requested to recommend the method of financing in the amount of \$6 882 annually.
- 5.
- (a) That northbound traffic on Glen Valley Drive be required to stop for eastbound and westbound traffic on Country Club Drive; and
  - (b) That the existing yield sign for eastbound traffic on Head Street at Strathcona Avenue North be replaced with a stop sign; and
  - (c) That the existing yield signs for eastbound and westbound traffic on Florence Street at Strathcona Avenue North be replaced with stop signs; and
  - (d) That the existing yield sign for eastbound traffic on Tom Street at Strathcona Avenue North be replaced with a stop sign; and
  - (e) That three-way stop control be implemented at the intersection of Lamoreux Street and Strathcona Avenue North; and
  - (f) That northbound and southbound traffic on Locke Street South be required to stop at Charlton Avenue West such that the intersection would be controlled by a three-way stop; and
  - (g) That the overhead flashing light be removed from the intersection of Charlton Avenue West and Locke Street South; and
  - (h) That City Traffic By-law 66-100 be amended accordingly.
- 6.
- (a) That a "Commercial Vehicle Loading Zone, 8:00 a.m. to 12:00 noon, Monday to Friday" regulation be implemented on the west side of Catharine Street South, commencing at a point 77 feet south of Young Street and extending to a point 40 feet southerly therefrom; and
  - (b) That City Traffic By-law 66-100 be amended accordingly.

7. That the previous list of personnel appointed as By-law Enforcement Officers for the City of Hamilton be revised:

by adding the following names:

- John H. Deeley	- James L. Adkins
- William D. Christensen	- Joseph W. Mathieson
- Jeffrey D. Danby	- Louis J. Angeline
- Paul L. Brown	- Judith Berestecki

and by deleting the following names:

- Gordon J. Henderson	- Ernest F. Squires
- Brian A. Bishop	- Eric L. Laycock
- John J. DeMois	- Victor C. Anderson
- Onelio L. Maragno	- Kenneth Edgar

8. (a) That a "No Parking" regulation be implemented on the north side of Bruccedale Avenue between Millen Avenue and a point 56 feet west; and
- (b) That City Traffic By-law 66-100 be amended accordingly.
9. (a) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Sussex Street commencing at a point 52 feet west of Emerson Street and extending to a point 166 feet westerly therefrom; and
- (b) That City Traffic By-law 66-100 be amended accordingly.
- \*10. (a) That the "Call B.U.D. Committee" be permitted to display a promotional banner across Main Street West in front of City Hall, from April 3, 1989 to April 10, 1989, subject to the policy guidelines and conditions approved by Council on October 29, 1988, September 30, 1988 and January 13, 1987, with the following message:
- "BEFORE YOU DIG, CALL B.U.D. 527-7977"
- (b) That the Citizen Action Group be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, November 27, 1989 to December 4, 1989, with the following message:

"OLDER WORKER WEEK  
HAMILTON HELP CENTRE"

\* Recorded vote, see page 232

- (c) That the Leeds of Hamilton be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, January 1, 1990 to January 8, 1990, with the following message:

"LEEDS BRIDAL SHOW '90  
HAMILTON CONVENTION CENTRE  
JANUARY 9 & 10, 1990"

- (d) That the Hamilton and District Extend-A-Family be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, July 17, 1989 to July 24, 1989, with the following message:

"SHARE A SPECIAL FRIENDSHIP  
HAMILTON EXTEND-A-FAMILY 529-7484"

- (e) That the Hamilton and District Extend-A-Family be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, September 17, 1990 to September 24, 1990, with the following message:

"SHARE A SPECIAL FRIENDSHIP  
HAMILTON EXTEND-A-FAMILY 529-7484"

- (f) That the Art Gallery of Hamilton Volunteer Committee be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, November 5, 1990 to November 12, 1990, with the following message:

"ART GALLERY FAIR  
X-MAS AT THE GALLERY"

- (g) That the Kidney Foundation of Canada Hamilton & District Chapter be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, March 5, 1990, to March 12, 1990 with the following messages:

"SUPPORT THE KIDNEY FOUNDATION  
PLEASE GIVE GENEROUSLY  
MARCH IS KIDNEY MONTH"

11. That the City Solicitor be authorized and directed to prepare a By-law to Incorporate Part 18, Plan 62R-6257 into Queen Victoria Drive.

NOTE: All costs for services have been paid to both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

The City of Hamilton is the owner of Part 18 and it is necessary that this part be Incorporated into Queen Victoria Drive to provide access to and from a Subdivision abutting and to the west (commonly known as Loconder Gardens) recently registered as Plan 62M-572.



12. That the City Solicitor be authorized and directed to prepare a By-law to Incorporate the easterly 47.292m of Part 2 and all of Part 7 Plan 62R-6257 onto Loconder Drive.

NOTE: All costs for services have been paid to both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

The City of Hamilton is the owner of all Parts 2 and 7 and it is necessary that the above-mentioned easterly 47.292m of PART 2 and all of Part 7 be Incorporated into Loconder Drive to provide access to and from a soon to be constructed Town House Development abutting and to the north of the said PARTS.

13. That the City Solicitor be authorized and directed to prepare the necessary By-law to incorporate part of Block 90, Plan 62M-488 into Rushdale Drive.

NOTE: All costs for services have been paid to both the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

The City of Hamilton is the owner of all of Block 90, Plan 62M-488 and it is necessary that the westerly 20.154m thereof be incorporated into Rushdale Drive to provide access to and from the said Plan 62M-488 and the subdivision to the south shown on Plan 62M-528.

14. (a) That the City share of the cost of curbs, sidewalks, final roads and grading and related services, as adopted by City Council on April 29, 1986 as Item 29 of the Tenth Report of the Transport and Environment Committee for "Rexford Gardens - Phase 2", be increased by \$10 580 to \$68 406; and
- (b) That the Co-ordinating Committee recommend the source of funding for these additional costs.

NOTE: For Council's information, the Additional Cost Sharing is required due to higher than anticipated tender unit prices and grading on City lands.

15. (a) That the submitted schedules for the estimated cost of services in "Highridge Hills - Stage 2", Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement with the Owner. These lands are located east of Upper Sherman Avenue and South of Limeridge Road, in the Randall Neighbourhood. The total estimated cost of services for this development is \$602 146.

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement between the City of Hamilton and the owner, Highridge Developments (Hamilton) Ltd.,
  - (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision agreement have been registered;
  - (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing;
  - (e) That the City's Share of the cost of services for the development (\$34 044.39) be approved, and that the Co-ordinating Committee recommend the source of funding for this project; and
  - (f) That the City Solicitor be authorized and directed to prepare the necessary By-laws to:
    - i. incorporate the 0.3m reserve, Block 111, Registered Plan No. 62M-583, into the Ashcroft Drive Road Allowance after the Plan of Subdivision for "Highridge Hills - Stage 2" has been registered;
    - ii. incorporate the 0.3 m reserve, Block 112, Registered Plan No. 62M-583, into the Rexford Drive road allowance after the Plan of Subdivision for "Highridge Hills - Stage 2" has been registered;
    - iii. incorporate part of the 0.3m reserve, Block 84, on the subject plan, into the Rexford Drive road allowance after the Plan of Subdivision for "Highridge Hills - Stage 2" has been registered. (This part fronts Instrument No. 61630 H.L. only);
    - iv. incorporate Parts 11 and 12, Plan No. 62R-9500, into the Rexford Drive Road allowances after the Plan of Subdivision for "Highridge Hills - Stage 2" has been registered.
16. (a) That the submitted schedules for the estimated cost of services in "Templemead No. 2 Survey - Phase 6, Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement. These lands are located east of Upper Gage Avenue and north of Rymal Road in the Templemead Neighbourhood.
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement between the City of Hamilton and the Owners, Seedeck Construction Company Limited and Robert Shelley Construction Limited.

- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision agreement have been registered;
  - (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he be permitted to do so at his own risk, providing that he enters into a Standard Agreement for Pre-Servicing;
  - (e) That the City Solicitor be authorized and directed to prepare the By-law(s) to incorporate the 0.3m reserves, Parts 2, 3, and 5, Plan 62R-9557 into their respective road allowance, Templemead Drive and Mount Pleasant Drive road allowance, following the registration of the Plan of Subdivision for Templemead No. 2 Survey - Phase 6.
  - (f) That the Subdivision Agreement include the necessary provisions which would require the Developer to establish Maintenance Easements in all locations as required by the Zoning By-law and Council Policy.
17. That the Director of Traffic Services be authorized to temporarily cover or remove the "No Parking" signs on the north side of Barton Street between Queen and Ray Streets.

NOTE: Staff has been directed to report back to the Transport and Environment Committee on parking conditions in this area, after one month.

18. That the following Bills be introduced:

- (a) B-29 By-law respecting construction of local improvements of:
  - i. Combined Sidewalk and Curb on the north side of Federal Street, from Berkindale Drive to approx. 38m easterly;
  - ii. Finished Roadway, combined Sidewalks and Curbs (both sides) on Federal Street, from Grays Road to approx. 48m westerly
  - iii. Finished Roadway on Federal Streets from Berkindale Drive to approx. 40m easterly, total estimated cost - \$68 300.
- (b) B-30 By-law to incorporate Reserve "B", Plan 943 into Forbes Street
- (c) B-31 By-law to Amend By-law 66-100 to Regulate Traffic.
- (d) B-32 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 February 06

/lp



REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its *FIFTH* Report for 1989 and respectfully recommends:

1. That the Portuguese Association of St. Michael the Archangel be granted permission to sell food and alcoholic beverages on the occasions of the Annual Festival of the Holy Spirit, June 9, 10, 11, 1989, in the Dundurn Park Pavilion, subject to the following terms and conditions:
  - (a) Proof of \$1 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury, same to be submitted 30 days in advance, and naming the City as co-insured.
  - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.).
  - (c) That alcoholic beverages may be served in the confined area of the Pavilion on June 9, 10 (12:00 noon to 12:00 midnight), and June 11 (12:00 noon to 10:00 p.m.), upon receipt of approval of the Liquor Licence Board.
  - (d) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.
  - (e) That a financial statement relative to the sale of alcoholic beverages be submitted within thirty days of the celebrations.

NOTE: Approval required pursuant to Parks By-Law No. 77-221.

2. (a) That the hourly rate for ice rentals at Municipal Arenas be revised as follows:

EXISTING

PROPOSED 1989 - '90

Effective the opening of our Fall and Winter Season - October 1989:

ADULT

- |    |             |                  |                  |
|----|-------------|------------------|------------------|
| 1. | Non-Prime   | \$55.00 per hour | \$60.00 per hour |
|    | Time        |                  |                  |
|    | 6 am - 6 pm |                  |                  |

- ii. Prime-Time 80.00 per hour \$85.00 per hour  
6 pm - closing

YOUTH

- i. Non-Prime \$40.00 per hour \$50.00 per hour  
Time  
6 am - 6 pm
- ii. Prime-Time \$55.00 per hour \$60.00 per hour  
6 - 10 pm

LAWFIELD ARENA - SUMMERADULT

- i. Non-Prime \$65.00 per hour \$70.00 per hour  
Time  
6 am - 6 pm
- ii. Prime Time \$80.00 per hour \$85.00 per hour  
6 pm - closing

YOUTH \$65.00 per hour \$70.00 per hour

- (b) That the youth rental rate not be applicable after 10:00 p.m.

3. That approval be given the action taken by the Director of Culture and Recreation in authorizing the Board of Education to utilize a portion of Scott Park, for purposes of operating a Day Care Centre, on the understanding that:

- (a) The Board of Education would be responsible for the costs of installing and maintaining the four foot fencing required to provide an enclosed play area in conjunction with Day Care Centre.
- (b) The area required, approximately twenty feet by sixty feet would be located immediately adjacent to the Scott Park School, in an area satisfactory to the Director of Public Works.
- (c) That this fencing would be removed, at the expense of the Board of Education, if and when the City requires the property for other uses, and upon the year's notice.
- (d) That the City assume no responsibility for the maintenance of the enclosed play area.
- (e) That the Board of Education agrees to save the City harmless, from any accident or injury which might occur within the enclosed play area.

4. That an Option to Purchase the property known as 308 Hixon Road duly executed by the Board of Education for the City of Hamilton on January 24, 1989 and scheduled for closing on or before April 24, 1989 be approved and completed.

NOTE: The subject property has a frontage along the southerly limit of Hixon Road of 200 feet (60.96 metres) more or less by a depth of 245 feet (74.68 metres) bearing municipal number 308 Hixon Road. The purchase price of \$160,000.00, plus legal fees not to exceed \$1,000.00, is to be charged to account RF 25301 (Lands Acquired under the Planning Act) in which sufficient funds are available to finalize this transaction. Consideration in the amount of \$1.00 has been paid to the owners, and pursuant to the agreement, forms part of the purchase price.

5. (a) That the following land leases for farming purposes to Mr. Malcolm Bethune be approved,
- 62.83 acres, more or less, on the Turner Farm situated on Rymal Road East at an annual rental of \$1,570.75 (\$25 per acre) including estimated realty taxes of \$1,532.82, and
  - 59.59 acres, more or less, of land at the Mount Hamilton Cemetery at an annual rental of \$1,489.75 (\$25 per acre) including estimated realty taxes of \$1,516.88.
- (b) That the City Solicitor be authorized and directed to prepare the necessary leases.

NOTE: The lease is to commence May 1, 1989 for a period of one year and terminate April 30, 1990.

6. (a) That the Chairman and Vice-Chairman of the Parks and Recreation Committee be authorized to attend the Ontario Recreation Society Conference to be held in Toronto, February 15th - 17th, 1989.
- (b) That any member of the Parks and Recreation Committee wishing to attend be authorized to do so.

- \*7. That the City Solicitor be authorized and directed to re-apply to the Ontario Municipal Board for approval of funding in the amount of \$6 605 000 to construct a Twin Pad Arena/Track complex at the Olympic Park location on Mohawk Road West and Upper Horning Road.

\* Section 7 deleted and replaced, see page 253



8. For the information of Council, the Parks and Recreation Committee made the following Aldermanic appointments to its Sub-Committees/Boards.

(a) Arts Advisory Sub-Committee  
(Term Expires November 30, 1991)

- Alderman M. Kiss
- Alderman D. Christopherson

(b) Crystal Palace Sub-Committee  
(Term Expires November 30, 1991)

- Alderman T. Jackson
- \* - Requires an additional Alderman

(c) Hamilton Historical Board  
(Term Expires November 30, 1991)

- Alderman Wm. McCulloch
- Alderman G. Copps

(d) Parks and Recreation Citizens Advisory Sub-Committee  
(Term Expires November 30, 1991)

- Alderman G. Copps
- Alderman T. Murray

(e) Golf Sub-Committee  
(Term Expires November 30, 1991)

- Alderman F. Lombardo
- Alderman J. Gallagher (Vice-Chairman)

NOTE: The Citizen Members of this Committee are as follows:

- Mr. Ian Giles
- Mr. Frank Nusca
- Mrs. Wendy Torresin
- Ms. Mary Cambell
- Mr. Rod Goodes
- Mr. Dave Shock
- Mr. John Kiriakopoulos
- Mr. Lou Franco, Chairman
- Mr. J. Pook
- Mr. Mike Mackrory

- \*9. That the following adjustments be made to the 1989 golf fees for Chedoke and King's Forest Golf Courses:
- i. membership fees be increased by 5% across the board
  - ii. green fees be increased by \$1
  - iii. no change to the 30% surcharge for out-of-town fees.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1989 February 07

*\* Replacement Section 7:*

7. *That City Council reconfirm its decision for a multi-purpose Community Sports Complex on the West Mountain, subject to receipt of the Consultants' Report on the Short, Medium and Long Term Needs for Community Arena Facilities, and that staff take all necessary steps to ensure adequate funding within the 1989-1994 Portion of the Capital Budget.*

*\* Section 9 added during Council  
Recorded vote on Subsection (i) and (ii)  
Subsection (iii) lost, Recorded vote, see page 234*

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Planning and Development Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. That the Building Commissioner be authorized to issue demolition permits for the demolition of the following properties: -

- (a) 131 Nash Road South
- (b) 633 Queenston Road
- (c) 627 Queenston Road

2. That the provisions of Demolition Control By-law No.74-290 be applied to the listed building at 105 Aberdeen Avenue.

NOTE: Sections 33(2) of The Planning Act, 1983, provides that a municipality may, by by-law, designate any area within the municipality wherein a by-law prescribing standards of maintenance and occupancy is in force as an area of demolition control.

Property Standards By-law No. 74-74, prescribing standards of maintenance and occupancy was enacted by City Council on 1974, April 30, and is in force in the City of Hamilton. By-law No. 74-290 - To Establish Demolition Control - provides that the area comprising the City of Hamilton is designated an area of demolition control.

Consequently, no residential property may be demolished in whole, or in part, in the demolition control area, until plans for the proposed development are approved and a permit issued by City Council.

This provision is included in The Planning Act in order to give Council some control over the premature and unnecessary demolition of sound housing stock.

For the information of the members of City Council, the Planning and Development Committee have also forwarded this matter to LACAC for comment.

3. (a) That, the Downtown Action Plan Co-ordinating Committee Terms of Reference be altered to read as follows:
  - (i) To facilitate the implementation of: Downtown Action Plan, Commercial Improvement Programme and other City of Hamilton Streetscaping Initiatives.



- (ii) To provide a forum for the City of Hamilton's Business Improvement Areas for the purpose of ensuring representation on recommendations and reports put before Sub-committees and Council.
  - (iii) To provide staff recommendations and opinions to the Planning and Development Committee on urban design related initiatives/issues.
  - (iv) To ensure the maximum use of City resources - both staff and financial.
  - (v) To ensure that the goals and objectives of the relevant project are met as per City Council's approval; and,
- (b) That, the Downtown Action Plan Co-ordinating Committee continue to meet, with the addition of the following additional representatives from the Business Improvement Areas:

Meri Oliver, (International Village Business Improvement Area)  
Bill Dawson, (Westdale Village Business Improvement Area)  
Diane Morris, (Ottawa Street Business Improvement Area)  
George Barker, (Concession Street Business Improvement Area)  
Keith Cody, (Barton General Business Improvement Area)

- (c) That the Planning and Development Committee be advised on a regular basis of the status of the projects being co-ordinated by the Downtown Action Plan Co-ordinating Committee.

4. That, the Mayor and City Clerk be authorized to sign the necessary Provincial/Municipal Implementation Agreement for the Crown Point/West Stipeley PRIDE Phase I Project, satisfactory to the City Solicitor.

NOTE: In order that the City of Hamilton can make use of the Provincial allocation of four hundred thousand dollars (\$400,000), matched by Municipal funds equalling a total of eight hundred thousand dollars (\$800,000), for the Crown Point West/Stipeley PRIDE Project, the Mayor and City Clerk must sign the necessary Implementation Agreement. Although the Mayor and City Clerk have already signed this Agreement, the Ministry of Municipal Affairs will not execute same until the new Council authorizes this action. Once the recommendation has been approved by City Council, the necessary by-law will be submitted to the Ministry of Municipal Affairs, Community Renewal Branch. The City Solicitor's Department has already reviewed the Implementation Agreement and found it to be satisfactory.

5. (a) That, By-law 87-229 amending By-law 86-212 appointing the International Village B.I.A. Board of Management be amended to DELETE the following names:

Michelle Gallante  
Gord Thompson  
Julie O'Brien  
Bill Elliot

Modern Furs  
G.W. Thompson Jewellers  
Bizarre Bazaar  
Money Mart

and ADD the following names:

Mary Bowden	Book Villa
Gary Frydman	Gary's New York Mens' Wear
Frank Lauinger	Audio Store
Allen Rigby	Bay City Paint
Inder Singh	Empire Oriental Carpets
Bob Seromsky	ZAP Records
Jean Squires	C.I.B.C.
Margaret Tsangarakis	It's All Greek to Me
Mike Vento	Off the Wall
Helen Phillips	Arrivals

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-229 pursuant to (a) above.

6. (a) That, By-law 86-98 appointing the Westdale Village B.I.A. Board of Management, be amended to DELETE the following names:

J. Pocsai	Tulip's Cafe
R. Fazakas	Lawyer
M. Crump	Bremat Construction
S. Delman	Village Bagel
G. Ditner	Cottage Florist
C.C. West	National Trust
G.M. Ujiye	Big V Drug Store

and ADD the following:

B. Dawson	The Villager Mens' Wear
R. McGrath	Toronto-Dominion Bank
D. Harley	Deborah Harley Fashions
J. Jennings	Five Season's Travel

- (b) That, the City Solicitor be authorized and directed to amend By-law 86-98 pursuant to (a) above.

NOTE: For the information of the members of City Council, the following will continue to serve on the Westdale Village B.I.A. Board of Management:

R. Rahie	Jack Carruch Shoes
S. Snider	The Frame Shop
M. Kane	Maryann's Gifts

7. (a) That, By-law 88-89, as amended by By-law 88-144, appointing the Ottawa Street B.I.A. Board of Management be amended to DELETE the following names:

L. Baker	Jenome
T. Culshaw	A & B Catering
L. Higgins	Hamilton Appliance Centre

and ADD the following:

C. Marabella

Encore TV and Video

- (b) That the City Solicitor be authorized and directed to amend By-law 88-89 pursuant to (a) above.

NOTE: For the information of the members of City Council, the following will continue to serve on the Ottawa Street B.I.A. Board of Management:

G. Carrey	Howard Flower Shoppe
E. Desmarais	Fred Gregory Florist
E. Widerman	Heirloom Portraits
J. Gut	The Textile Centre
S. Eisenberg	Liberty House Furniture
T. Easterbrook	Kents Hardware
D. Ferrell	Giant Tiger

8. (a) That, By-law 86-144 appointing the Concession Street Business Improvement Area (B.I.A.) Board of Management be amended to DELETE the following names:

R. Somerville	Lockhart's Ladies Wear
P. Ford	Don Ford & Associates
R. Devries	Ray Devries Real Estate and Insurance
E. Horyn	Walt's Variety
S. Miller	New Dundee Pie Shoppe
E. Raphael	So-Low Sales
P. Wright	P. Wright & Son's Catering
J. Marion	Wilf's Hardware
N. Woolcott	Woolcott Shoe Store
P. Wright	Pat Wright Catering

and ADD the following:

G. Barker	Barker Furniture
J. Jarvis	Lockhart's Ladies Wear
N. Harrington	Harrington & Harrington
R. Butterworth	Butterworth Architect
D. Logan	Wheels in Motion
R. Best	Bar-B-Q at Best

- (b) That, the City Solicitor be authorized and directed to amend By-law 86-144 pursuant to (a) above.

NOTE: For the information of the members of City Council, the following will continue to serve on the Concession Street B.I.A. Board of Management:

N. Woolcott	Woolcott Shoes
J. Marion	Wilf's Hardware



9. (a) That By-law 87-308 appointing the Barton General B.I.A. Board of Management be amended to DELETE the following names:

F. Amad	Shaheen Ent. Ltd.
V. Greco	Riviera Banquet Hall
D. Howarth	Junk Box
R. Kratz	C.J. Kratz Ltd.
J. Thompson	Jack's Custom Kitchens

and ADD the following:

R. Brooker	Gas Tank King
J. Zidanic	Century Furniture Restoration

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-308 pursuant to (a) above.

NOTE: For the information of members of City Council, the following will continue to serve on the Barton General B.I.A. Board of Management:

K. Cody	Cody's Wallcovering
M. Korytko	Valco Decor
S. Vissari	Your Bakery Ltd.
S. Shumacher	Shumacher Shoes
J. Bota	Hack's Appliance & Power Tool
J. Stassis	Dr. Carburetor

10. (a) That, By-law 87-148 appointing the Downtown Promenade B.I.A. Board of Management be amended to DELETE the following names:

M. Caplan	Marvin Caplan's Gentlemen's Apparel
P. Roberts	Continental Bank of Canada
D. Wessel	Terminal Towers
P. Sefarian	Paul's Shoe Repair
T. Olver	Guaranty Trust
M. Pocius	Park Place
J. Ross	Ross' Ladies Wear

and ADD the following:

D. House	Telesis
S. Parkin	Robinson/Ogilvy
G. Bullock	The Hamilton Spectator
R. Tittian	Reggie's

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-148 pursuant to (a) above.

NOTE: For the information of the members of City Council, the following will continue to serve on the Downtown Promenade B.I.A. Board of Management:

B. Hanna	Guaranty Trust
B. Massey	Royal Connaught
R. Harris	Harris & Henderson
J. Livingston	Livingston Furs
P. Pappas	Grapes & Things
W. Gerofsky	Leeds of Hamilton
T. Miele	Holiday Inn
M. Kampen	Woolworths
D. Marissen	Durwood Jones Barkwell

11. (a) That, By-law 87-147 appointing the Jamesville B.I.A. Board of Management be amended to DELETE the following names:

D. Robbins	Robbinex Capital Corporation
S. Leon	Irving's Famous Clothes Ltd.
M. Giamichele	Mario's Custom Tailor
M. Morgenstern	Nandor-Morgenstern Enterprises Ltd.
G. Ricca	Factory Furniture Ltd.
G. Ricca	Ricca Furniture Ltd.
R. Corsini	Corsini Supermarket
P. Viana	Acadia Travel Services Inc.
L. Bornstein	Gordon and Son Furs Ltd.
J. Morgan	J & J Pro Hardware
H. Organ	Kohler's Rexall Drug Store
O. Simoes	Oscar's Travel Agency
B. Miller	Miller Shoes
K. Sherman	Anshel's Ltd.

and ADD the following:

M. Panopoulos	Jamesville Cafe
D. Frazer	2 Beards
M. Robbins	Smith-McKay Florists
E. Piccine	La Triestina Shoes
P. Jovanovich	Copper John's Tavern
F. Mainolfi	Bar Michaelangelo
T. Manajimzada	Kuhistan's Boutique

- (b) That, the City Solicitor be authorized and directed to amend By-law 87-147 pursuant to (a) above.

12. (a) That, the 1989 operating budget of the Downtown Promenade B.I.A. BE APPROVED in the amount of one hundred and ninety eight thousand, three hundred and sixty three dollars (\$198,363); and,

- (b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O., 1980, to levy the 1989 budget as referenced in (a) above; and

(c) That, the Schedule of Payments for 1989 be as follows:

January 1	\$16,530.25	July 1	\$16,530.25
February 1	\$16,530.25	August 1	\$16,530.25
March 1	\$16,530.25	September 1	\$16,530.25
April 1	\$16,530.25	October 1	\$16,530.25
May 1	\$16,530.25	November 1	\$16,530.25
June 1	\$16,530.25	December 1	\$16,530.25

13. (a) That, the 1989 operating budget of the Concession Street B.I.A. BE APPROVED in the amount of eighteen thousand, seven hundred and fifty dollars (\$18,750); and,

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1989 budget as referenced in (a) above; and,

(c) That, the Schedule of Payments for 1989 be as follows:

March 1	-	\$5,000
April 1	-	\$5,000
June 1	-	\$4,000
August 1	-	\$2,500
September 1	-	\$2,250

14. (a) That, the 1989 operating budget of the Westdale Village B.I.A. BE APPROVED in the amount of fifteen thousand dollars (\$15,000); and;

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1989 budget as referenced in (a) above; and,

(c) That, the Schedule of Payments for 1989 be as follows:

February 1	-	\$3,000
April 1	-	\$5,000
June 1	-	\$5,000
October 1	-	\$2,000

15. (a) That, the 1989 operating budget of the Barton General B.I.A. BE APPROVED in the amount of six thousand dollars (\$6,000); and,

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1989 budget as referenced in (a) above; and,

(c) That the Schedule of Payments for 1989 be as follows:

April 1	-	\$2,000,
July 1	-	\$2,000,
October 1	-	\$2,000



16. (a) That, the 1989 operating budget of the Ottawa Street B.I.A. BE APPROVED in the amount of eighty-five thousand dollars (\$85,000); and,

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217, the Municipal Act, R.S.O. 1980, to levy the 1989 budget as referenced in (a) above; and,

(c) That the Schedule of Payments for 1989 be as follows:

March 1	-	\$42,500
June 1	-	\$21,250
September 1	-	\$21,250

17. (a) That the 1989 operating budget of the International Village B.I.A. BE APPROVED in the amount of seventy thousand, eight hundred and thirty-five (\$70,835);

(b) That, the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217 of the Municipal Act, R.S.O. 1980, to levy the 1989 budget as reference in (a) above; and,

(c) That the Schedule of Payments for 1989 be as follows:

February 1	\$20,000
May 1	\$20,000
July 1	\$30,835

18. That the Corporation of the City of Hamilton ACCEPT the sum of \$7,155. as cash payment in lieu of 5% dedication for "Bentwood Place", subdivision, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located on the east side of Upper Gage Avenue at Royalvista Drive in the Templemead Neighbourhood.

19. That the City of Hamilton ACCEPT the sum of \$7,650. as cash payment in lieu of 5% dedication in connection with "Templemead No. 3 Survey", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

Note: These lands are located east of Upper Gage Avenue and north of Rymal Road in the Templemead Neighbourhood.

20. That the interim account of Weir and Foulds, Barristers and Solicitors, dated 1988 December 21, in the amount of \$14,524.81 for fees and \$1,475.19 for disbursements for a total of \$16,000. BE PAID.

NOTE: This account covers services from 1988 October 14 to 1988 December 7 respecting Butler et al vs. City/Architects Fees re Library Farmers' Market.

- \*21. That members of the Planning and Development Committee receive ONLY those Notices of Public Meeting of the Planning and Development Committee with respect to the Planning matters which concern their particular ward, unless otherwise indicated by the Alderman to the Planning Department Staff.

NOTE: Prior to each Planning and Development Committee meeting, members of the Committee are provided with copies of ALL notices. Since these notices are included in the agendas, the Committee has agreed that it is more appropriate for the members to only receive advance copies of the Notices affecting their particular Ward.

22. (a) That City Council petition the Niagara Escarpment Commission, and based on the fact that the applicable City/Regional Departments are opposed to the granting of the lot severance on property at #1 Bull's Lane, strongly urge the Commission to DENY the applicant's request for lot severance, and
- (b) That the appropriate City staff be authorized to represent the City at the Ontario Municipal Board against the severance application.
23. (a) That APPROVAL be given to Subdivision Application 88-19, 456941 Ontario Ltd., c/o Silvestri Investments, owner, to establish a draft plan of subdivision, on the west side of Pritchard Road and north of Rymal Road, subject to the following conditions:
- (i) That this approval apply to the plan prepared by A.J. Clarke & Associates Ltd., dated 1988 August 23, revised to show 16 lots, one block (Block "17") for development with adjacent lands, one block (Block "18") for open space and two blocks (Blocks "19" and "20") as 0.3m reserve, a 26.0m width of Road "A", 12m x 12m daylight triangles at all crosses of the intersection of street "A" and Anchor Road, a 15m x 15m daylight triangle at the intersection of Street "A" and Pritchard Road, an increase to Block "18" and correspondent changes to the remaining lots.
  - (ii) That the streets be dedicated as public highways on the final plan.
  - (iii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (v) That Block "18" be set aside for acquisition by a public agency for open space purposes.
  - (vi) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.

\* Section 21 amended, see page

- (vii) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (viii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (ix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
  - (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-18), 456941 Ontario Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
24. That APPROVAL be given to Condominium Application 88-24, "Mount Albion Park", 660555 Ontario Limited, owner, to establish a draft plan of condominium located at the south side of Montmorency Drive and on the east side of Mount Albion Road, subject to the following conditions:
- (a) That this approval apply to the plan prepared by A.J. Clarke & Associates Ltd., dated 1988 November 14.
  - (b) That the final plan show a distance of 7.6m between units 42, 43 and 50 and the top edge of the ravine slope and a distance of 7.6m between units 50 to 55 and the easterly property line.
  - (c) That the owner agree in writing to satisfy all financial requirements of the Regional Municipality of Hamilton-Wentworth.
  - (d) That the neighbourhood plan be amended accordingly.
25. That Section 7 of the THIRD Report for 1989 of the Planning and Development Committee, adopted by City Council on 1989 January 10 BE AMENDED as follows:
- (a) That Sub-section (a) of Section 7, which reads as follows BE DELETED:  
  
"That APPROVAL be given to Official Plan Amendment No. 70, to redesignate the subject lands from "Utilities" to "Industrial" and to extend "Special Policy Area 11", and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth."
  - (b) That Sub-section (b) of Section 7, be renumbered Section 7, and



- (c) That Sub-section (b)(iii) of Section 7, which reads as follows BE DELETED:

"That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 70 by the Regional Municipality of Hamilton-Wentworth."

- \*26. (a) That Hamilton City Council supports the objective of increasing the supply of affordable housing areas within the urban reality which includes Hamilton and surrounding municipalities.
- (b) That Hamilton City Council request the Provincial Government to review its existing policies and programs respecting the provision of affordable housing to develop a comprehensive housing strategy instead of introducing an additional policy which is aimed at only one aspect of the housing problem.
- (c) That in the absence of a comprehensive housing strategy, Hamilton City Council request the Provincial Government to revise its draft Housing Policy Statement as follows:
- \* (i) to allow municipalities the flexibility to determine their own affordable housing targets instead of establishing a provincial target of 25%.
- (ii) to allow municipalities the flexibility to approve development applications on an informal basis instead of including rigid development application approval targets in the Official Plan;
- (iii) to ensure that the existing housing stock is considered in the Policy Statement given its importance in the provision of affordable housing;
- (iv) to ensure that legitimate planning and engineering concerns such as public participation, protection of the environment, and subdivision engineering standards are not dismissed in an attempt to provide affordable housing; and,
- (v) to rename the Policy Statement to "Residential Land Use Policy Statement", which more accurately reflects its intended purpose.
- (d) That Hamilton City Council urge the Provincial Government to review all provincial housing policies, programs and initiatives respecting the provision of affordable housing with a view:
- (i) to addressing the issue of rent controls;
- (ii) to providing low income households with shelter allowances, tax credits, etc.;

\* Recorded votes on sections 26 (a) and 26 (c)(i), see page 235

- (iii) to reviewing Provincial legislation and practices regarding:
    - 1. lot levies;
    - 2. sale of Provincial lands at below market value; and,
    - 3. land speculation tax.
  - (iv) to providing financial aid to both private industry and the Region if expansion of services is to be considered;
  - (v) to developing a public education program in conjunction with the municipality to dispel public fears associated with affordable housing;
  - (vi) to decreasing the response time required for Provincial Ministries to respond to development applications; and,
  - (vii) to decreasing the time it takes to set Ontario Municipal Board hearing dates.
- (e) That Hamilton City Council strongly urge the Provincial Government to review and increase the Maximum Unit Price (M.U.P.) on a regular basis to a level that reflects the actual market costs of land and development.
- (f) That the City Clerk forward the entire Staff Report attached hereto and marked Appendix "A" and the recommendations thereto to the Ministry of Municipal Affairs and Housing, and the Association of Municipalities of Ontario (Urban Section) for consideration, and to the Regional Municipality of Hamilton-Wentworth for information.

NOTE: In 1988 September, the Province released the Draft Provincial Policy Statement. The objective of the Statement is to increase the supply of affordable housing by requesting municipalities to provide a favourable environment conducive to the construction of affordable units. This favourable environment may be achieved through amendments to the land use planning process.

The Province has requested each Municipality to provide comments on the draft Housing Policy Statement by 1989 February 28.

27. That Zoning Application 88-73, Patrick and Linda Vuurman, owners, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District to permit the conversion of the existing two family dwelling into a three family dwelling, for lands located at 17 Fairmount Avenue, as shown on the attached map marked as APPENDIX "B" be DENIED for the following reasons:

- (a) The proposal represents an intrusion of a 3 family dwelling into an area which is predominantly occupied by single-family dwellings;

- (b) Approval of the application would set an undesirable precedent for future similar applications in the surrounding area.
- (c) The parking layout is not acceptable, in that the required parking spaces would be stacked, whereas they should be free and unobstructed.

28. That APPROVAL be given to City Initiative 88-G, City of Hamilton, owner, for a change in zoning from "K" (Heavy Industrial) District to "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District, for property located at the rear of 25 to 31 Clinton Street, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the subject lands be rezoned from "K" (Heavy Industrial) District to "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc.) District.
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-32 for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (d) The Stipeley Neighbourhood Plan be amended by redesignating the subject lands from "Park and Recreational" to a "Single and Double" residential land use designation.

NOTE: The purpose of the By-law is to provide for a change in zoning from "K" (Heavy Industrial) District to "D" (Urban Protected Residential - One and Two Family Dwellings, townhouses etc.) District, of property located at the rear of 25 to 31 Clinton Street.

The effect of the By-law is to establish uniform "D" zoning of the properties at 25 to 31 Clinton Street.

29. That APPROVAL be given to Zoning Application 88-100, Gail Ruth Redbourne, owner, for a change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District, for property located at 242 Jackson Street East, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the subject lands be rezoned from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District.
- (b) That the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11A of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variance as a special requirement:
  - (i) Notwithstanding Section 11A(1)(iii) of By-law No. 6593 the existing dwelling may be converted to a hairdressing establishment for not more than 5 hairdressers.



- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1112, and that the subject lands on Zoning District Map E-5 be notated S-1112;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-5 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- (f) That the Corktown Neighbourhood Plan be amended by redesignating the subject lands from "Medium Density Apartments" to a "Commercial" land use.

NOTE: The purpose of this By-law is to provide for a change in zoning from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) District for property located at 242 Jackson Street East.

The effect of the By-law is to permit the conversion of the existing dwelling to a hairdressing establishment for not more than 5 hairdressers.

30. That APPROVAL be given to amended Zoning Application 88-26, J.C. Leech - Porter, owner, requesting changes in zoning from the "C" (Urban Protected Residential, etc.) District to the "A" (Conservation, Open Space, Park and Recreation) District and "E" (Multiple Dwellings, Lodges, Clubs, etc.) District modified, to permit the development of a six storey, 143 unit retirement home, on lands located at 1780, 1790, 1796 and 1808 Main Street West, shown as Blocks "1" and "2" on the attached map marked as APPENDIX "E", on the following basis:
- (a) That the amended By-law apply the holding provisions of Section 35(1) of The Planning Act R.S.O. 1983 to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until Plans have been approved under Section 40 of the Planning Act respecting Site Plan Control.
- Removal of the holding provision shall be conditional upon the approval of Site Plans, including suitable grades between the rear of the building and the new proposed top-of-bank, and passage of an amending By-law once Site Plans have been approved.
- (b) That the lands shown as Block "1" be rezoned from "C" (Urban Protected Residential, etc.) District to the "A" (Conservation, Open Space, Park and Recreation) District;
  - (c) That the lands shown as Block "2" be rezoned from the "C" (Urban Protected Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District:

- (d) That the "A" (Conservation, Open Space, Park and Recreation) District regulations as contained in Section 7 of Zoning By-law No. 6593 applicable to the lands shown as Block "1", be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 7.(1)(ii) a golf course, playground, play lot and playfield shall be prohibited;
  - (ii) That Sections 7.(1)(iii), (iv) and (v), and 7.(1a) shall not apply.
- (e) That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the lands shown as Block "2", be modified to include the following variances as special requirements:
- (i) That notwithstanding Section 11.(1) a senior citizens multiple dwelling containing not more than 143 dwelling units shall also be permitted;
  - (ii) That notwithstanding Section 11.(1)(xi) a restaurant/dining room shall also be permitted only in conjunction with a senior citizens multiple dwelling, provided that all of the conditions under subclauses (a), (b) and (c) thereof are complied with;
  - (iii) That notwithstanding Section 11.(3)(i)(b) a minimum front yard of 4.0 m shall be required;
  - (iv) That notwithstanding Sections 11.(3)(ii)(b) and 11.(3)(iii)(b) no building or structure, except a fence, shall be erected less than 7.62 m from the boundary of Block "1" abutting Block "2", and no parking or loading area shall be located less than 1.5 m from the boundary of Block "1" abutting Block "2";
  - (v) That notwithstanding Section 11.(5) a maximum floor area ratio factor of 1.85 shall be permitted, only for a senior citizens multiple dwelling;
  - (vi) That notwithstanding Table 1 of Section 18A a minimum of 70 parking spaces shall be required for a senior citizens multiple dwelling containing not more than 143 dwelling units;
  - (vii) That Section 18.(4)(iv) of By-law No. 6593 shall not apply;
  - (viii) That for the purposes of this By-law, a senior citizens multiple dwelling means a multiple dwelling within which all residents are at least 60 years of age or older.
- (f) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1113, and that the subject lands on Zoning District Maps W-50 and W-51 be notated S-1113;

- (g) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps W-50 and W-51 for presentation to City Council;
- (h) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area;
- (i) That the approved Ainslie Wood West Neighbourhood Plan be amended by redesignating the lands shown as Block "2" to "Medium Density Apartments".

NOTE: The purpose of the By-law is to provide for changes in zoning for lands located at Nos. 1780, 1790, 1796 and 1808 Main Street West on the following basis:

- (a) Block 1 - Change in zoning from "C" (Urban Protected Residential, etc.) District to "A" (Conservation, Open Space, Park and Recreation) District.
- (b) Block 2 - Change in zoning from "C" (Urban Protected Residential, etc.) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District.

The amending By-law applies the holding provisions (as denoted by the 'H' suffix) of Section 35 (1) of the Planning Act to the subject lands. These provisions will prohibit the development of the lands until Plans are approved under Site Plan Control. Once Site Plans are approved, City Council may remove the 'H' Symbol by passing an amending By-law.

The effect of the By-law is to permit the development of a 6 storey, 143 unit senior citizens multiple-dwelling (retirement home) with support services (e.g. dining room, library, lounge, etc.). In addition, the By-law provides for the following modifications as special provisions:

(a) Block "1"

- (i) To prohibit a golf course, playground, playfield, playlot, cemetery, mausoleum or columbarium, and a crematorium as permitted uses.

(b) Block "2"

- (i) To permit a senior citizens multiple dwelling (retirement home) containing not more than 143 dwelling units, provided that all residents are at least 60 years of age or older;
- (ii) To permit a restaurant/dining room in conjunction with a senior citizens multiple dwelling;
- (iii) To permit a minimum front yard depth of 4.0 m, whereas 7.5m is required;



- (iv) To permit a minimum rear yard depth of 7.62m, whereas 13.5 m is required
- (v) To permit a minimum side yard width of 7.62m, whereas 11.0m is required;
- (vi) To permit an accessory building (gazebo) in the side yard;
- (vii) To require a minimum of 76 parking spaces for the senior citizens multiple dwelling (retirement home), whereas 179 are required.
- (viii) To prohibit the location of any parking or loading area closer than 1.5m to the boundary of the "A" (Conservation, Open Space, Park and Recreation) District shown as Block "1".
- (ix) To prohibit the location of any building or structure, except a fence, closer than 7.62m to the boundary of the "A" (Conservation, Open Space, Park and Recreation) District shown as Block "1".

31. (a) That APPROVAL be given to Official Plan Amendment No. 70, to redesignate the southerly portion of the subject lands from "Utilities" to "Commercial", and that the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.

(b) That APPROVAL be given to amended Zoning Application 88-101, Tyka Investments Limited, owner, requesting a modification to the established "HH" (Restricted Community Shopping and Commercial) District to permit a 3 storey building having approximately 1,000m<sup>2</sup> of ground floor commercial space and 2 floors of residential development (16 apartments), for lands located at Nos. 282, 284, and 288 Grays Road, as shown on the attached map marked as APPENDIX "F" on the following basis:

- (i) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following as special requirements:
  - (1) That notwithstanding Section 14A(1)(a) of By-law No. 6593 a 16 unit multiple dwelling shall be permitted, provided same is attached only to a commercial use(s) permitted under Section 15B(3)(b) of By-law No. 6593.
  - (2) That notwithstanding Section 14A(2) of By-law No. 6593 no building for the use specified in paragraph 1 shall exceed 3 storeys in height, and commercial uses shall only be permitted within the first storey.

- (3) That notwithstanding Section 14A(3)(b) of By-law No. 6593 a southerly side yard having a width of at least 1.5m shall be provided and maintained for the use specified in paragraph 1.
- (4) That notwithstanding Section 18A(17)(b) and Tables 3 and 4 of Section 18A of By-law No. 6593 only one loading space having a minimum size of 18.0m x 4.3m shall be required for the use specified in paragraph 1.
- (5) That there shall be provided and maintained an amount of not less than 44% of the area of the lot as landscaped area, of which not less than 28% of the landscaped area shall be provided and maintained at grade, for the use specified in paragraph 1.
- (6) That a minimum 1.5m wide planting strip shall be provided and maintained along the southerly side lot line and rear lot line for the use specified in paragraph 1.
- (7) That a visual barrier not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained along the boundary of the rear lot line and southerly side lot line for the use specified in paragraph 1.
- (8) No residential use shall be located except functionally completely separate from any commercial use, and except in such a manner as will completely segregate from any commercial use, pedestrian movement to and from any residential use.
- (ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1114, and that the subject lands on Zoning District Map E-123 be notated S-1114;
- (iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-123 for presentation to City Council;
- (iv) The proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 70 by the Regional Municipality of Hamilton-Wentworth;
- (v) That the approved Riverdale East Neighbourhood Plan be amended by redesignating the subject lands to "Commercial and Apartments".

NOTE: The purpose of the By-law is to provide for a modification to the established "HH" (Restricted Community Shopping and Commercial) District for lands located at 282, 284, and 288 Grays Road.

The effect of the By-law is to permit the development of the subject lands for a 3 storey building having approximately 1,000 m<sup>2</sup> of ground floor commercial space, and residential dwelling units on the second

and third floors (total of 16 units). Parking for 38 cars is to be provided on site. In addition, the By-law provides for the following variances as special requirements:

- (a) That only the commercial uses permitted in the "CR" (Commercial-Residential) District (Section 15B(3)(b)) shall be permitted in conjunction with the 16 dwelling units.
- (b) The maximum building height permitted is 3 storeys, whereas 4 storeys is normally allowed, and commercial uses will only be allowed in the first storey;
- (c) A minimum southerly side yard of 1.5m in width is to be provided and maintained;
- (d) One loading space having a minimum size of 18.0m x 3.7m x 4.3m is to be provided, whereas two loading spaces are required;
- (e) An amount of not less than 44% of the lot area is to be provided and maintained as landscaped area, of which not less than 28% of the landscaped area is to be provided and maintained at grade;
- (f) A minimum 1.5m wide planting strip is to be provided and maintained along the southerly side lot line and rear lot line;
- (g) A visual barrier not less than 1.2m in height and not greater than 2.0m in height is to be provided and maintained along the boundary of the rear lot line and southerly side lot line.
- (h) That access to the residential units is to be completely separate from the commercial uses.

32. That the Chairman of the Planning and Development Committee, or his designate, be authorized to attend the American Planners Association National Planning Conference to take place on 1989 April 29 - May 3 in Atlanta, Georgia.

33. That leave be granted to introduce the following Bills:

- (a) Bill D-16            A By-law to repeal By-law No. 85-226 as amended by By-law No. 86-297 respecting Interim Control.
- (b) Bill D-17            A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 1167 Rymal Road East.
- (c) Bill D-18            A By-law to repeal By-law No. 86-232 respecting part of "Randall Estates - Phase 1" Registered Plan of Subdivision M-200.
- (d) Bill D-19            A By-law to repeal By-law No. 83-326 respecting part of "Oakington Estates (Phase 5)" Registered Plan of Subdivision M-228.



- (e) Bill D-20      A By-law to repeal By-law No. 87-124 respecting part of "Stone Church Survey" Registered Plan of Subdivision No. 1059.
- (f) Bill D-21      A By-law to amend Zoning By-law No. 6593 respecting lands located at municipal nos. 1405, 1411 and 1417 Upper James Street
- (g) Bill D-22      A By-law to amend Zoning By-law No. 6593 respecting land located at municipal no. 1375 Upper James Street.

Respectfully submitted,

Alderman J. Smith, Chairman  
Planning and Development Committee

Susan K. Reeder  
Secretary  
1989 February 1

\* Section 21 amended to read:

21. *That members of the Planning and Development Committee receive ONLY those Notices of Public Meeting of the Planning and Development Committee with respect to the Planning matters which concern their particular ward, unless otherwise indicated by the Alderman to the Planning Department Staff.*

*That the Alderman of the particular Ward who does not sit on the Planning and Development Committee be also notified unless he or she indicates otherwise.*

**NOTE:** *Prior to each Planning and Development Committee meeting, members of the Committee are provided with copies of ALL notices. Since these notices are included in the agendas, the Committee has agreed that it is more appropriate for the members to only receive advance copies of the Notices affecting their particular Ward.*

DRAFT PROVINCIAL HOUSING

POLICY STATEMENT

CITY OF HAMILTON'S RESPONSE

1989 FEBRUARY

Appendix "A" as referred  
to in Section 2.6 of the  
FIFTH Report for 1989 of  
the P & D Committee

## 1.0) INTRODUCTION

In 1988 September, the Provincial government, under Section 3 of the Planning Act, introduced a draft Housing Policy Statement. This Statement was issued in response to a serious housing problem, namely the inadequate supply of "affordable" dwelling units in some areas of the Province. This shortage can be attributed to a number of social and economic factors which include changing household sizes and composition as well as a significant internal and international immigration. The problem is most acute in Toronto and the surrounding communities.

The intent of this Policy Statement is to establish a new land use planning framework aimed at achieving specific housing objectives. The Statement places the burden on the municipalities to provide the opportunity for the provision of affordable housing through such actions as:

- a) the formulation of Official Plan policies and zoning provisions which support a variety of housing types;
- b) the development of zoning standards which would allow for a variety of housing types to be built; and
- c) the acceleration of the development approvals process to potentially reduce the cost of housing.

It is important to note that the purpose of this Statement is to ensure that municipalities provide the OPPORTUNITY for the provision of affordable housing and only through the co-operative efforts of private enterprise and municipal governments will the increase in the number of affordable units be realized.

Prior to finalizing the draft Statement, the Province is seeking input from municipalities by 1989 February 28. The purpose of this report is to highlight the key elements of the Statement and to provide Committee and Council with a formal response to the Province.

The Region has also prepared a response to the Provincial government. Their conclusions are similar to those contained in this report.

## 2.0) OBJECTIVES

The basic objective of the Policy Statement is:

- o to require a minimum of 25% of the new housing stock within a municipality (new development, conversions and



residential intensification) to be of a price that is affordable to approximately 60% of the households.

The 25% minimum is to be split: 12.5% of new units would have to be affordable to households within the 0 to 30th percentile income range [ 0 - \$26,800 (low income households)] and the remaining 12.5% would be for those in the 30th to 60th percentile [\$26,801-\$46,800 (moderate income households)]. (Source: Ministries of Municipal Affairs and Housing, Housing and Land Use Policy Statement: Implementation Guidelines, 1988, Appendix I)

Certain actions must be taken by the municipality in order that the objective is achieved. The municipality must:

- 1) establish a policy environment that encourages the development industry to increase the supply of land by ensuring that an adequate supply of land is available to meet a minimum 10 year growth period;
- 2) maximize the use of the existing building stock and physical and social services through the promotion of residential intensification and conversion of non-residential buildings and land to residential purposes; and
- 3) shorten the time required to process development applications (ie. zoning, subdivisions, official plan amendments and site plans).

It is assumed that these broad actions will reduce the cost of land which in turn will reduce the cost in the provision of housing. Thereby, more households will gain access to the housing market and be housed in units which meet their needs.

The Statement also assumes that governments (municipal and provincial through funding) will provide housing for those households within the 0 to 30th percentile income range, and the private market will provide units for the moderate income households.

From a philosophical viewpoint, the policy statement's objective to provide more affordable housing units is laudable; however, in analysing the various assumptions, policies and implementation methods established in the Statement and accompanying guidelines, three notable facts emerge. First, the Province has failed to take into account certain basic factors which are also responsible for the housing shortage. Second, the City of Hamilton has incorporated many of the Official Plan policies and Zoning By-law standards that the Province is suggesting. Third, the municipality will encounter difficulties in the implementation

of the Statement. This report will deal with each of these aspects separately.

### 3.0) GENERAL ASSUMPTIONS

There is no question that Ontario is facing a crisis in the provision of affordable housing. The reasons why such a shortage is occurring is complex since there are a variety of indirect and direct factors that are contributing to the problem. The draft Housing Policy Statement is an attempt to deal with the problem.

To start, the title of the Policy Statement is a misnomer in that it leads the reader to believe that it is a comprehensive housing strategy when in fact, it focuses on only one aspect of the problem; that being the land use planning process. It would be more appropriate to change the title to "Residential Land Use Policy Statement".

It is critical that the government develop an overall housing strategy instead of merely introducing a Policy Statement dealing with only one of the contributing factors the housing crisis. It is unlikely, in the short term, that an overall housing strategy will be implemented or made workable. In the interim, municipalities are expected to comply with the proposed Housing Policy Statement.

The policy statement fails to focus on three very important issues: affordability as an income problem rather than a supply problem; the existing housing stock; and rent controls.

#### 3.1) Affordability:

The statement defines affordable as annual housing costs [rent or mortgage (based on 25% down payment), principle, interest, taxes etc.] which do not exceed 30% of gross annual household income. For example, if the household income was \$46,800 then they should be able to afford a \$133,500 house assuming a downpayment of \$33,375 [see Appendix 1]. (Source: Ministries of Municipal Affairs and Housing, Housing Policy Statement-Implementation Guidelines, Appendix I) The inherent flaw in this argument is that first time homebuyers cannot always afford to put down 25%, given that house prices are accelerating at a faster rate than income levels. In 1988, the price of houses in Hamilton increased by 20% over 1987.

Furthermore, the statement assumes that the basic



problem for homebuyers is the high cost of housing and not income levels. It is fair to say that the housing costs are rising far more quickly than the average wage rates, thus widening the gap between the two. To adequately attack the problem of affordability, the issue of income levels must be addressed by the Federal and Provincial Governments in the form of shelter allowances, tax credits or some other kind of subsidy rather than relying solely on the provision of affordable housing. The issue of affordability is especially critical for low income households.

### 3.2) Existing Housing Stock:

The existing housing stock in the Hamilton area plays a very important role in the provision of "affordable" units. The average price of homes for re-sale ranged from approximately \$72,092 to \$186,408 in December 1988 and the median price being \$115,000. (Source: Metropolitan Hamilton Real Estate Board, Summary of Multiple Listing Service Sales) These figures indicate that there is a supply of homes for those households with income in the middle to upper tier of the 30th to 60th percentile levels. Accordingly, the need to provide for those households within this income range is significantly less when the existing housing stock is considered. However, the Statement does not take this into consideration.

### 3.3) Rent Controls:

In 1975, the Provincial government introduced rent control as a stop gap measure to keep rent increases under control. Unfortunately, rent control has had a very serious affect on the supply of rental accommodation to the point where few units are being constructed, and those that are being constructed are being subsidized by some level of government. The vacancy rate in the Hamilton area has generally been declining since 1977: 4.3% to 0.1%. (Source: CMHC, Toronto Branch, Rental Apartment Vacancy Survey, various years) The Provincial Government must address this issue because many households are unable to purchase their own homes and renting is the only alternative. However, rental accommodation cannot be considered as a viable alternative if there are few units to rent. Given the potential role of market rental accommodations, the Province should reconsider rent control and the findings of the Thom Commission. Again, if a serious approach



to housing is to be taken, it must be comprehensive in scope and not selective as there are many elements in the housing market equation that are being overlooked by the Province's current approach.

### 3.4) CONCLUSIONS

- 1) The Provincial Government has recognized the importance of increasing the supply of affordable housing. However, the draft Housing Policy Statement does not appear to be able to achieve this goal; it merely amends the land use planning process to provide a favorable environment for the development of affordable accommodation. Instead of developing a Policy Statement dealing with only one aspect of the issue, it would be more appropriate for the Province to review all policies/programs and develop a comprehensive housing strategy.
- 2) The Housing Statement is too narrow in its focus and consequently fails to take into account three key factors which have a profound effect on affordable housing; namely,
  - a) that rent controls have an adverse impact on the supply of affordable housing and therefore, should be reconsidered;
  - b) that affordability is also an income problem rather than a solely a supply problem and thus, the government should establish shelter allowances for those in need; and,
  - c) that the existing housing stock plays an important role in the provision of affordable housing for moderate income families.

### 4.0) HOUSING STATEMENT POLICIES - HAMILTON'S POLICIES AND PROCESSES

As previously stated, the thrust of the statement is to require each municipality to amend their land use planning instruments and processes to provide a more favorable environment for the provision of affordable housing. Accordingly, its policies focus primarily on requiring municipalities to amend the Official Plan and Zoning by-law as well as Subdivision standards and Site Plan Control.

#### 4.1) Official Plan Policies

According to the Statement, the Official Plan must focus on three specific areas of municipal planning: variety and mix of housing; supply of land; residential intensification; streamlining the approval process and monitoring policies.

##### 4.1.1) Variety and mix of Housing

The City's Official Plan currently contains policies which promote the general development objective of a variety and mix of housing. Policies A.2.1.8 and C.7.3(iii) and (iv) encourage the provision of all types of housing forms for all income levels which is in keeping with the intent of the Statement.

Further, the Statement indicates that "to create the necessary policy base for a variety and mix of housing to be achieved, the municipality will have to review and, in many cases revise its official plan. Many current official plan policies perpetuate the homogenous character of residential neighborhoods through the separation of different types of land uses." The City of Hamilton's Official Plan is atypical in that the RESIDENTIAL designation is very general; it does not identify where specific dwelling types (ie. townhouses, single family, apartments) may be located.

The province has requested that Official Plans contain policies relating to the 25% affordable housing objective. This would include identifying specific areas within municipally defined planning units (ie. neighbourhoods) where affordable units would be located. In Hamilton's case, the Council adopted neighborhood plans (which identify land uses on a site by site basis) would be the implementing tool. However, to comply with the intent of the Statement, the City would have two choices: one, add a new map to the O.P. identifying the general locations of affordable housing (based on the neighborhood plan locations) or two, include neighborhood plans as secondary plans in the Official Plan. Option 1 is the preferred choice because it is easier to implement.

As mentioned previously, half of the affordable units are for those households from low income groups and the other half is for moderate income households. The Province is assuming that the need for housing is evenly split between these two income groups and it further assumes



that the affordable housing target of 25% minimum will meet the needs of the municipality. The danger in setting a provincial target is that it is not sensitive to the local conditions and needs. Accordingly, municipalities are better able to identify their own needs. This can be achieved through the preparation of Municipal Housing Statement; these Statements are approved by the Ministry of Housing. The intent of this document is to examine demand (present and future housing requirements) and supply (housing stock, development and redevelopment activity, availability of land) factors of the housing market. From this data housing problems are identified and priorities are set. The Planning and Development Department is currently preparing the Municipal Housing Statement for Hamilton and it is expected to be completed in the Fall of 1989. Based on the above, the Policy Statement should be flexible enough to allow each municipality to determine their own affordable housing targets.

#### 4.1.2) Supply of Land

To ensure that an adequate supply of land is available for residential development, municipalities must designate lands for residential purposes to accommodate 10 years of projected growth. All lands within the City are designated in the Official Plan for urban purposes. Based on the current high development rate continuing, the City can easily accommodate 10 years of growth (based on average growth rate over the last 10 years) on the remaining undeveloped residentially designated lands. If redevelopment and conversions are considered, then the potential housing supply is much greater.

The Statement also requires Official Plans to include policies outlining the capacity of existing and proposed engineering services to accommodate the 10 year growth. The design of engineering services in the City is based on ultimate growth and the capacity is based on maximum densities. Accordingly, the future servicing potential represents a growth rate that is greater than 10 years. Furthermore, in 1984, the Official Plan was amended to replace the servicing policies relating to 'staging of development' with 'Development and Servicing Extension' policies. The old policies were seen as artificial barriers to development in that they restricted certain areas from being developed until adjacent areas were fully developed. The current policies are a logical approach to servicing in the City in that they encourage residential development where services are available.



Further, the draft Statement also requires, the O.P. to include a policy which would set a target of a minimum two year supply of draft approved and/or registered lots being available for residential development. The City of Hamilton currently has 3,542 draft approved and registered lots available (including townhouses, singles and two family dwellings. Based on the current high growth rate of 1,200 dwelling units per year, the City has an approximate three (3) year supply of potential lots.

#### 4.1.3) Residential Intensification

The Province is encouraging municipalities to make better use of existing resources such as municipal services, old buildings, etc. Accordingly, Official Plans are to include policies on three specific areas: mixing of land uses; conversion of non-residential buildings into dwelling units and additional dwelling units within existing buildings.

By virtue of Hamilton's Official Plan policies A.2.2 and A.2.6.5, residential uses are permitted within Commercial and Major Institutional designations. Further, these policies encourage mixed use developments such as dwelling units located above stores. In addition, the City has recently amended the O.P. for the Central Area to provide more policy direction for the concept of mixed use and the provision of affordable housing.

The Official Plan is silent on conversion; however, both the City and private enterprise have demonstrated support for conversions as evidenced by the conversion of non-residential sites for residential purposes. For example, the old Wentworth Street School and the Ryerson school site were both developed for townhouses/apartments. The Municipal Non-Profit Housing Corporation converted the former and private enterprise built the latter. In addition, an old industrial site located in a residential area in West Hamilton was rezoned for residential purpose; thereby eliminating a land use conflict as well as providing the opportunity for infill residential development.

The Planning and Development Department is currently undertaking the Housing Intensification study which is dealing with the various actions the Statement has identified as possible housing alternatives; namely, the conversion of single family dwellings for additional units; the provision of granny flats, infilling etc. The

study will be completed in 1990, therefore, it is important for the study to be completed before Official Plan Amendments are initiated.

#### 4.1.4) Streamlining the Development Approval Process

One of the greatest areas of concern for the provincial government appears to be length of time it takes to process development applications. "It has been argued that the decision making process takes longer than necessary resulting in increased cost to the proponent." Inevitably, the increased cost is passed onto to the homebuyer. Accordingly, the Statement has identified sample targets for the completion of various aspects of the development approval process (see Appendix 2). Most of the sample targets are achievable with the exception of subdivision applications which take at least twice as long as the Province is suggesting given the complexity of the issues involved.

For the most part, the City of Hamilton processes development applications (ie. subdivision, zoning, severances, etc) within the elapsed time frames set out in the sample targets. Unlike many municipalities, the City of Hamilton processes applications in tandem. For example, if a subdivision requires an Official Plan amendment and a zoning change, the report submitted to the Planning and Development Committee will contain all the necessary changes. This enables the Committee to hold a single public meeting for both the Official Plan and zoning changes at the same time, render a decision and make recommendations to Council 13 days later. It should be noted that the City's process is considerably shorter than other municipalities.

In accordance with the Planning Act 1983, the City, in 1984, generated O.P.A. 15 which reduced the length of time required for the mailout of the public meeting notice from 30 to 17 days. This action further typifies Hamilton's commitment to shorter processing times.

In October 1987, the Ministry of Municipal Affairs delegated to the Region the responsibility of approving Official Plan Amendments for the area municipalities. This delegation has generally resulted in faster processing and approval of amendments than previously experienced.

It is Hamilton's experience that the bottlenecks in the process are waiting for comments on development applications from the various provincial ministries and



for the O.M.B. to set a hearing date for referrals. .

To further streamline the development approval process, would jeopardize the municipality's ability to adequately assess environmental, neighborhood and other impacts. The Planning Act requirements were set in place to ensure that the development approvals process provides opportunities for public participation.

Establishing rigid processing times for development applications in the Official Plan is unnecessary. In many instances, the delays in the process are beyond the municipality's control or, in some cases, out of their jurisdiction. Therefore, some degree of flexibility in the development process should remain at the municipal level to ensure is able to absorb any potential delays without being in contravention with the Official Plan.

It appears that the Policy's Statement objective to reduce the processing times for development applications is aimed at other municipalities who hold 2 or 3 public meetings prior to making a Council decision.

#### 4.1.5) Monitoring Policies

To determine the municipality's effectiveness in meeting the housing objectives, the Official Plan is to contain monitoring policies. Examples of such policies include; a comparison between actual growth/development and projected growth/development; a system to review the provision of housing in light of the 25% affordability, etc.. A review of the housing objectives would occur at least every five years but it is more likely that this review would be undertaken more frequently in higher growth areas. Inclusion of these policies in the Official Plan is not a concern for the City.

#### 4.2) Zoning By-law

In accordance with the draft Statement's objective of increasing the supply of affordable housing through a more flexible land use policies and standards, a review of the zoning by-law would have to be undertaken in the following areas: the permitted uses within each district; development standards (ie. lot size, yard requirements etc.); and residential intensification. In addition, the Statement suggests that other innovative zoning techniques such as holding zones and bonusing be used.

##### 4.2.1) Permitted Uses



The Statement claims that many municipalities have restrictive zoning districts in that they permit only one residential use in one district. This is generally not the case in Hamilton. The City's Zoning By-law is frequently referred to as a "pyramid" by-law in that uses in a low density residential district ("C" district) are permitted in higher density districts ("E" district). This pyramid system is effective in terms of permitting a variety of residential types within one zone, thereby minimizing the need to rezone. The townhouse districts ("RT-10", "RT-20", "RT-30" districts) and the low density residential districts ("B's", "C" and "R-4" districts) are more restrictive in that they only permit a limited number of uses.

#### 4.2.2) Development Standards

The Statement requires municipalities to review their development standards to determine if they are excessive (ie. too many standards, too restrictive in their application) and/or unrealistic in today's housing environment.

Province has found that it is common practice in many municipalities in Ontario for zoning bylaws to contain minimum lot coverage and minimum dwelling unit sizes; these restrictions basically dictate the size of a house to be built. Hamilton's By-law does not contain these restrictions.

In addition, all by-laws contain minimum lot sizes, frontages, and yard requirements. These limits are necessary to avoid buildings located too close to each other as well as too close to the street. The requirements established by Hamilton cannot be considered too 'excessive' compared to other municipalities as illustrated below.

Requirement	Hamilton ("C" District)	Mississauga ("R-3" District)
Frontage	12 m	15 m
Front Yard	6.0 m	7.5 m
Side Yard	1.2 m	1.8 m
Rear Yard	7.5 m	7.5 m

To demonstrate Hamilton's commitment to providing

different development standards to meet the different housing needs of the market, the City offers an alternative to the traditional single family dwelling lots. The "R-4" district allows for zero lot line single family detached dwellings on 10 m (32 ft.) frontages. The density is greater than the average single family dwelling zones.

It is important to note that reducing the standards beyond a certain minimum to accommodate what may be a short term problem (lack of affordable Housing) could have very serious effects on the stability and character of residential neighborhoods.

#### 4.2.3) Conversion Requirements (Intensification)

To encourage the provision of additional dwelling units within existing buildings, the Statement requires that the Zoning By-laws contain provisions to permit this to happen.

Section 19 - Converted Dwelling Requirements - of the City's Zoning By-law allows the conversion of a building for a greater number of dwelling units provided it meets certain criteria (ie. age of building, lot size, parking). The By-law can be considered fairly liberal in that it provides the opportunity for conversions if the building and lot size are suitable.

As previously mentioned, the Planning and Development Department is undertaking the Housing Intensification study. Part of the study will focus on the conversion standards in the zoning by-law. If a need to change the standards is identified, than a zoning by-law amendment will be initiated.

#### 4.2.4) Holding Zone

In keeping with the intent of the Statement, the City has in recent years, used the holding zone as a means of permitting development which would otherwise not be permitted. For example, lands in the south mountain area have been rezoned but the holding 'H' symbol has been placed until full municipal services are available. The use of the holding zone allows the owner to develop his property immediately (for the intended use) once the services are installed, instead of delaying the rezoning process until after the services become available.

#### 4.2.5) Bonus Provisions

The Statement encourage municipalities to use the bonusing technique for the provision of affordable housing. Bonusing is a zoning technique which allows a developer increased density/height on his lot, if he provides added amenities such as day care centers, additional landscaping etc included in the proposal. Other municipalities permit bonusing and have experienced many problems with the technique. If Hamilton is to make use of this technique in the context of affordable housing, a detailed feasibility study would be necessary to determine the appropriateness and circumstances when bonusing could be applied.

#### 4.3) Subdivision Standards

The Policy Statement suggests that the municipality review both it engineering and planning subdivision standards in an attempt to reduce the cost of developing land. The Planning Standards as they relate to subdivisions (ie. lot widths, sizes etc.) have been addressed in other parts of the report with the exception of the parkland dedication.

##### 4.3.1) Engineering Standards

The Engineering standards (road rights-of-way, sanitary and storm sewers, sidewalk widths, utility locations, etc) have been agreed to by the Region, the City and the utility companies. The standards are consistent with the standards set by the Association of Municipal Engineers and other organizations. They are considered to be current and are reviewed from time to time with amendments made as warranted.

Some of the changes the Province is suggesting have been investigated but not implemented due to long term maintenance costs. The Province suggests it could be economical to have all services using one utility corridor. Each utility has their own corridor to ensure that damage would not be caused to other utilities when repairs are undertaken, for example.

Other changes the Statement suggests, such as the location of sidewalks, have already been implemented by the Region and City. In 1986, the Region amended its policy on the installation of sidewalks making them optional in cul-de-sacs and crescents.

##### 4.3.2) Planning Standards



The Statement suggests that municipalities ensure that parkland dedication and open space requirements do not exceed anticipated needs. In 1985, a study by DuToit Associates compared the Official Plan standards with the existing parkland in the City. The study identified that the City has a very small surplus (5 ac.) of neighborhood parkland (this includes undeveloped lands as well) and a deficit of 46 ac. in Community Parkland. (Source: DuToit and Associates Ltd., Leisure Master Plan: Analysis and Alternative Directions, 1985, p.7-62) Based on this study, parkland dedication does not exceed the City's needs.

#### 4.4) Site Plan Control

The Province suggests that Site Plan Control not be applied to low and medium density residential developments. In the City's case, one and two family dwellings are exempt, whereas townhouses and apartments are required to enter into development agreements with the municipality. Site Plan Control is necessary to ensure that compatibility is maintained between uses; especially where medium density abuts low density uses given the potential for impacts (ie parking, landscaping, access driveways, building locations, etc.). It will become an increasingly important in the future if more medium density developments are to be constructed. Accordingly, the City's Site Plan Control By-law should not be changed.

Regardless of the draft Provincial Housing Policy Statement, the City should continue to investigate ways and means of streamlining the site plan approval process. Consideration should be given to hiring additional staff to comment on all aspects of the site plan, not only the preparation of staff reports and execution of the plan.

#### 4.5) CONCLUSIONS

- 1) The City already complies with many of the policies set out in the Statement; specifically,
  - a) the Official Plan encourages a range of housing types for all levels of income;
  - b) the Official Plan designates lands for residential development for a growth period that exceeds 10 years;
  - c) the City has approximately a 3 year supply of draft approved and registered lots for all housing types;

- d) the O.P. servicing policies do not inhibit residential growth;
  - e) the servicing plan for the City is designed for a growth period in excess of 10 years;
  - f) the Zoning By-law is flexible in that it provides for a range of housing types within one district and the development standards contained within each district are minimal;
  - g) the Zoning By-law allows conversion to additional dwelling units for older units only;
  - h) the Holding symbol 'H' is used, where necessary, to permit development once full municipal services are available;
  - i) the development approval time frame targets established by the Province are similar to the City's targets with the exception of the subdivision time frames;
  - j) the subdivision engineering standards are up-to-date and if a change to the standards is identified than amendments to the Regional By-law will be made; and,
  - k) the open space requirements and the parkland dedication do not exceed the needs of the City.
- 2) As indicated above, the City is one step ahead of the Province in providing the opportunity for affordable housing through the land use planning process. However, the following actions are required to fully meet the intent of the draft Statement:
- a) the completion of both the Housing Intensification Study and the Municipal Housing Statement prior to Official Plan and zoning by-law amendments being initiated; and,
  - b) the addition of a new map in the Official Plan to identify areas of affordable housing or to incorporate all neighborhood plans as Secondary Plans in the Official Plan. and,
  - c) the introduction of new Official Plan policies regarding the 25% affordable target, monitoring policies etc.

- 3) The Province has indicated that the proposed amendments to the Official Plan and Zoning By-law etc. will provide the OPPORTUNITY for the provision of affordable housing. However, without the co-operation of private enterprise, the realization of the Policy Statement cannot and will not be achieved.

#### 5.0) IMPLEMENTATION DIFFICULTIES

Although the housing Policy Statement is clear in its objective, the its realization will be difficult and in certain areas may not be possible. Many of the flaws of the Statement and its implementation may be resolved through the development of a more comprehensive housing policy framework at the provincial level. Some examples of the implementation difficulties are highlighted below.

- a) The municipality is expected to identify housing dwelling types which are considered to be 'affordable' within the income ranges set out by the Province. A pro forma analysis, taking into account the local market conditions, would have to be undertaken to determine the feasibility of constructing those types of dwelling units. There are no guidelines available as to how the municipality will undertake this analysis.
- b) Both the Province and the municipality will have to launch a public education program aimed at dispelling the fears that the construction of 'affordable' housing will decrease property values, increase vandalism etc.. It is critical that the NIMBY (not in my backyard) syndrome is eliminated if the provision of medium and high density affordable units is to be achieved.
- c) To increase the supply of lots available for the construction of affordable housing, the Provincial Government should review its current policy on the sale of land at market value. The sale of provincial land at market value can set the selling price for lands held in the private ownership often creating artificially high land values. The Province could sell their land at below market value through the use of such methods as a design competition. The winner of the competition would be able to purchase the land.
- d) The province should reconsider its position on the land speculation tax. A speculation tax would help reduce the cost of both serviced and raw land by shutting the door on speculators; in turn, this could lead to a reduction



in the cost of housing.

- e) The Province should undertake a study on lot levies (especially in light of the proposal by the Provincial Treasurer suggesting additional lot levies for education and health care) to determine if there are alternative methods to finance municipal infrastructure.
- f) It is beyond the capability of many municipalities to accelerate the extension of engineering services. A financial commitment from the Province is required if services are to be expanded. This commitment would have to be made available both to the City of Hamilton as well as developers since there is a cost sharing program in place in the region.
- g) Given that the burden to provide affordable housing for low income households rests with municipal governments and non-profit agencies, the Province must increase the Maximum Unit Price's (M.U.P.'s) on a regular basis to reflect the escalating land costs and increased construction costs. At the present time, a large percentage of the M.U.P.'s go toward the land costs leaving only a small amount for the actual construction of the units. Good quality housing, which at the onset may be more expensive, is more cost effective in terms of long term maintenance.

#### 5.1) CONCLUSION

While the objective of the Statement to increase the supply of affordable housing for low and moderate income households is worthy of active support, the implementation of the Statement is fraught with difficulties. For example,

- a) the Province will have to work together with the municipality to increase the acceptance of 'affordable' housing, by the general public, in all areas of the City;
- b) there are a number of existing programs and policies that influence the housing market. In this regard, the Province should review all housing initiatives with a view:
  - i) introducing a land speculation tax;
  - ii) re-examining the existing lot levy system;
  - iii) selling provincial lands at a below market value; etc.
  - iv) providing additional funding to municipalities and developers to off set the cost resulting from an accelerated expansion of services.

- c) there are no guidelines available to assist the municipalities in identifying the types of units to be built which would comply with the affordable income ranges the Province has established.
- d) the current M.U.P.'s are too low. A large percentage of the money goes towards the cost of land, accordingly, there is only a small amount available for housing construction. The M.U.P.'s must be updated on a regular basis to reflect the cost of housing (land and construction).

APPENDIX 2

<u>Application</u>	<u>Provincial Target</u>	<u>Hamilton Time Frame</u>
O.P.A.	Council Decision 4-9 months	Council Decision 2-4 months  Full approval (no objections) 7 months  Full approval (minor objections) 9-10 months  O.M.B. approval 9-15 months
Zoning By-law	Full approval 4 months	Full approval (no objections) 4-6 months  O.M.B. approval 9-15 months
Subdivision	Council comment 2 months	Council comment 4-5 months  Draft approval 5-6 months
Condominium	Council comment 2 months	Council comment 3 months  Draft approval 4 months
Severance	Committee Decision  1.5 months	Committee Decision 1 month
Minor Variance	Committee Decision 1.5 months	Full approval 2 months



**APPENDIX J: Interim Affordability Calculations**

ASSUMPTIONS:						
GDS=	30.0%	of income				
Taxes=	0.10%	of House Value				
Amortization=	25	years				
Downpayment=	25.0%					
Mortg Rate=	12.0%					
Mortg Factor=	0.0103					
Region	30th Percentile	Affordable Price	Affordable Rent	60th Percentile	Affordable Price	Affordable Rent
Toronto	\$26,500	\$75,500	\$660	\$47,500	\$135,500	\$1,180
Oshawa	\$31,300	\$89,500	\$780	\$49,600	\$141,500	\$1,240
Kitchener	\$24,400	\$69,500	\$610	\$43,600	\$124,500	\$1,090
Hamilton	\$26,800	\$76,500	\$670	\$46,800	\$133,500	\$1,170
St. Catharines:	\$22,600	\$64,500	\$560	\$39,800	\$113,500	\$990
London	\$22,400	\$64,000	\$560	\$40,400	\$115,500	\$1,010
Windsor	\$19,700	\$56,000	\$490	\$43,100	\$123,000	\$1,070
Ottawa	\$29,500	\$84,000	\$730	\$52,800	\$151,000	\$1,320
Sudbury	\$26,800	\$76,500	\$670	\$44,100	\$126,000	\$1,100
Thunder Bay	\$26,700	\$76,000	\$660	\$48,400	\$138,000	\$1,210

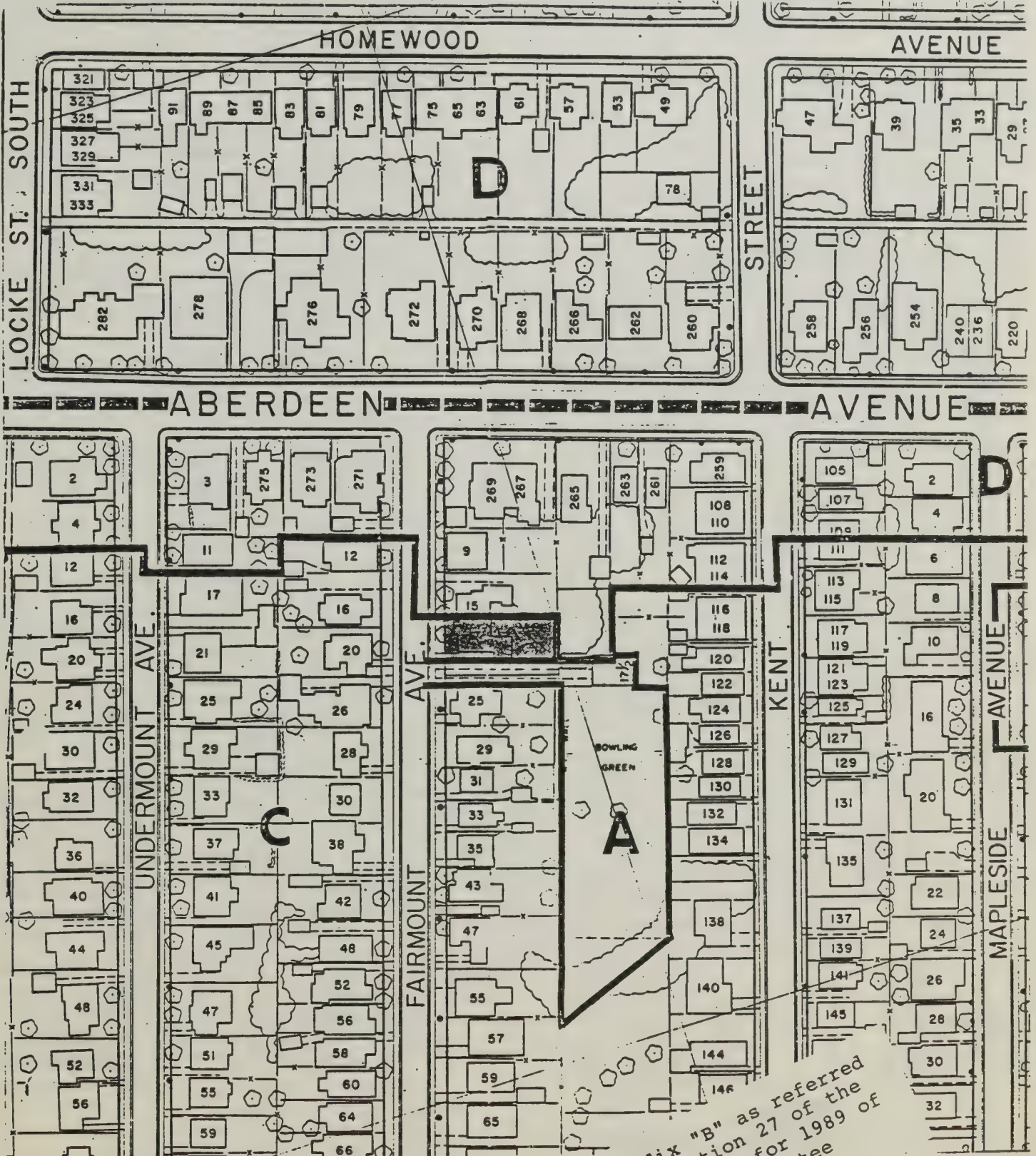
(1) Income values have been rounded down to the nearest 100.

(2) Affordable prices have been rounded down to the nearest 500.

(3) Affordable rents have been rounded down to the nearest 10.

(4) Income data are 1988 estimates based on multiplying 1986 incomes by CPI for 1986-87 (0.08).

**SOURCE:** Statistics Canada, 1987 Survey of Consumer Finance, unpublished data.



Legend



Site of the Application

Appendix "B" as referred  
to in Section 27 of the  
FIFTH Report for 1989 of  
the P & D Committee



APPENDIX A



02/14/89

-296-

STORAGE AREA

K

PRINCESS

STREET

PARKING AREA

PARKING AREA

STORAGE AREA

SHERMAN AVENUE NORTH

CLINTON

STRE

CASE

STRE

RUTH STREET

AVENUE

BARNESDALE

BARTON

STREET

EAST

CHURCH OF ST. ANN

ST. ANN JUNIOR SCHOOL

ANN ST.

ST. STANISLAUS CHURCH

SPIRIT IN CHURCH

LABOR TEMPLE

ROYAL CANADIAN LEGION OF POLISH VETERANS

LEGEND



SITE OF THE APPLICATION

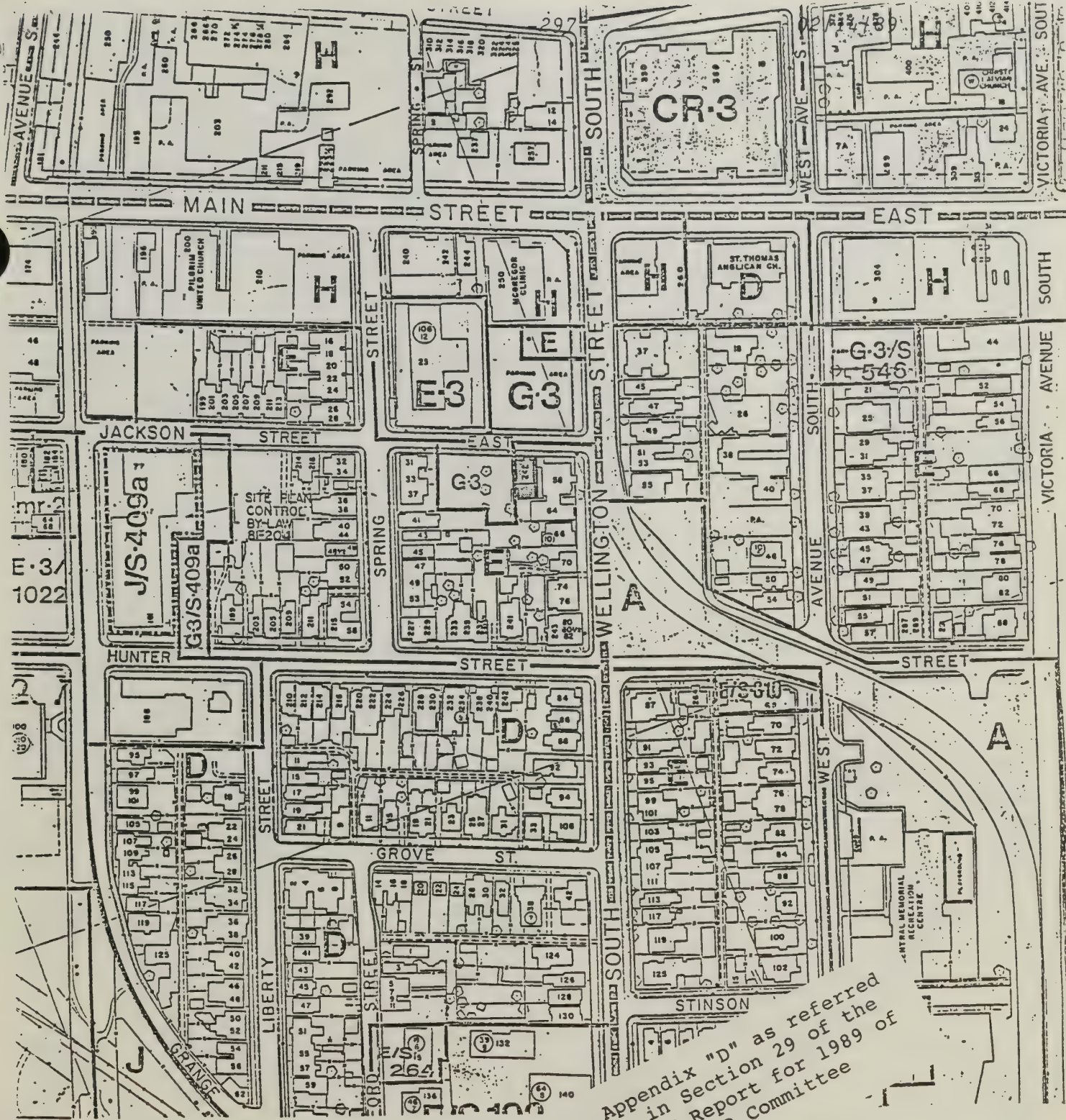
Appendix "C" as referred to in Section 28 of the FIFTH Report for 1989 of the P & D Committee



C.I. 88-G

APPENDIX A



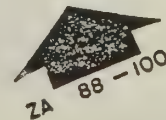


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Site of the Application.

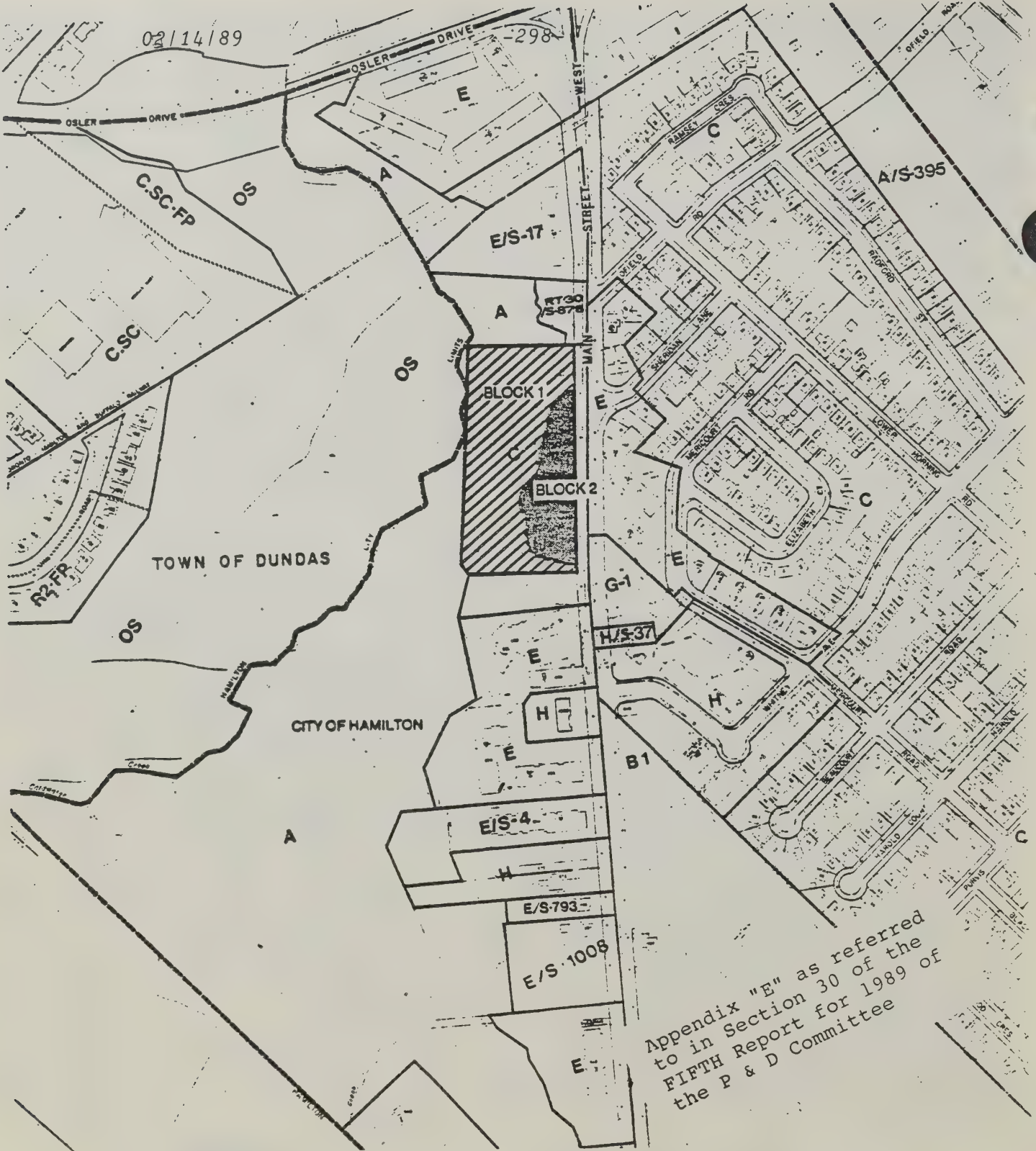
Appendix "D" as referred  
to in Section 29 of the  
FIFTH Report for 1989 of  
the P & D Committee



APPENDIX A



02/14/89



# Legend

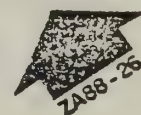
Proposed change in zoning from "C"(Urban Protected Residential, etc.) District to:



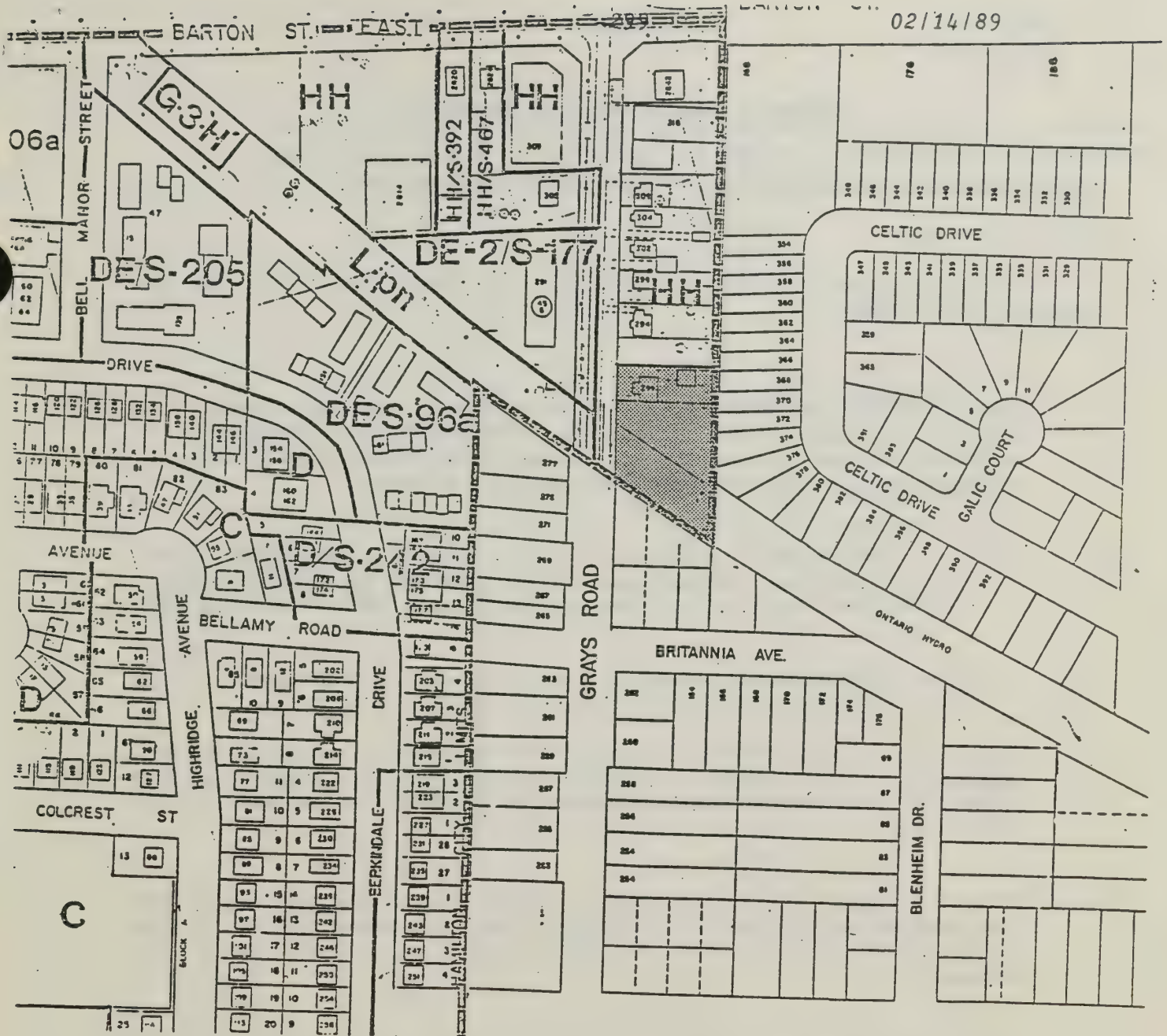
"A"(Conservation, Open Space, Park and Recreation) District

"E"(Multiple Dwellings, Lodges, Clubs, etc.) District

Appendix "E" as referred  
to in Section 30 of the  
FIFTH Report for 1989 of  
the P & D Committee



APPENDIX A. 1

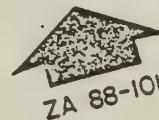


Legend



Site of the Application

Appendix "F" as referred  
to in Section 31 of the  
FIFTH Report for 1989 of  
the P & D Committee



APPENDIX A 3



## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its THIRD Report for 1989 and respectfully recommends:

1. That permission be granted to the Hamilton Power and Sail Squadron to use the City Hall Council Chambers on Wednesday, 1989 February 22 at 2:00 o'clock p.m. for a ceremony in honour of the 50th Anniversary of the inception of the Canadian Power and Sail Squadron.
2.
  - (a) That permission be granted to the Salvation Army (Hamilton Temple) to use the front canopy area of City Hall for their Summer Series of Outdoor Services each Sunday evening from 1989 June 18 to 1989 August 27.
  - (b) That permission be granted to the Salvation Army to use 150 City Hall chairs and a piano.

**Note:** No staff time is required for "set up and removal" as this equipment is set aside on Friday evening and the members of the Salvation Army ensure that everything is properly set up and cleared away. The P.A. System and podium are provided by the church.

3. That the request of the Lithuanian Canadian Community, Hamilton Branch for permission to fly the Lithuanian flag in commemoration of the independence of Lithuania from 1989 February 12 to February 16, be approved.
4. That permission be granted to the Heart and Stroke Foundation of Ontario to fly their flag at City Hall during the month of February which was been proclaimed Heart and Stroke Month.

02/14/89

5. That the Ontario Heritage Foundation be permitted to display a Heritage Day flag in front of City Hall on Monday, 1989 February 20 with the following message in both English and French:

"Ontario's Heritage  
Take it to Heart"

Respectfully Submitted,

Alderman V. J. Agro, Chairman  
Legislation Committee

John Thompson, Secretary  
1989 February 06

mjl

## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its FOURTH Report for 1989 and respectfully recommends:

1. That purchase orders be issued for the supply and delivery of safety equipment, rainwear, traffic cones and vests as and when required to Purchasing Stores in 1989, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

(a) Armour Protection, Hamilton

traffic vests \$ 8.68 each

Note: Lowest of thirteen (13) tenders received.

(b) Safety Express, Oakville

28" traffic cones \$ 9.95 each

Note: Lowest of thirteen (13) tenders received.

(c) Lawlor & Company, Hamilton

(i) medium, large and x-large rain pants \$ 11.55 each

(ii) medium, large and x-large rain jackets \$ 13.05 each

(iii) medium, large and x-large long rain coats \$ 19.35 each

(iv) rain hats \$ 3.15 each

Note: (i) and (ii) Lowest of six (6) tenders received  
(iii) and (iv) Lowest of five (5) tenders received.



(d) Acklands Limited, Hamilton

(i)	respirator face pieces	\$ 16.85 each
(ii)	respirator cartridges 7500-1 and 2	\$ 18.58 each
(iii)	respirator cartridges 7500-4	\$ 26.04 each
(iv)	filter cartridges 7500-7	\$ 16.52 (6)
(v)	filters 7500-8	\$ 17.30 (4)
(vi)	filters 7500-83	\$ 15.95 (2)
(vii)	filters N7500-6B	\$ 44.35/C
(viii)	filters N7500-10B	\$ 59.13/C
(ix)	filter holders	\$ 1.76 each
(x)	filter covers	\$ .93 each
(xi)	filter assemblies	\$ 4.61 (2)
(xii)	filter pesticides	\$ 66.22/C
	provincial sales tax extra at 8%	

Note: Lowest acceptable of eleven (11) tenders received.  
Funds provided in various stock inventory accounts.

2. (a) That the following resolution which was adopted by City Council on 1987 July 28, be rescinded.

That a purchase order be issued to Armoured Transport of Canada, Concord for the transporting and storage of monies for City Hall to 1988 December 31, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, at the following prices:

Cost per month \$330.00  
Special Pickups \$ 23.50

Note: Lowest of three (3) tenders received.  
Funds provided in Transportation of Monies  
Account No. 0323-0944.

- (b) That the Treasurer be authorized to enter into a two year contract represented by a 4% increase in both 1989 and 1990 with Brinks Canada Limited for the transportation of monies to and from City Hall effective 1989 January 01.

Note: On 1987 July 28, City Council approved the issuance of a purchase order to Armoured Transport of Canada for the transportation of monies to and from City Hall, subsequent to that approval, the City received a copy of an order from the Ontario Highway Transportation Board denying an application from this company for an extra provincial operating licence and a class "D" operating licence.

In view of the circumstances, the City agreed to continue this service with Brinks under a clause in the existing contract which provided for continuance until either party terminated the control upon 30 days notice. The Treasurer also turned this matter over to the City Solicitor and to the best of the Treasurer's knowledge, this company has never provided them with sufficient documentation to clarify the status of their licence.

3. That the Treasurer be authorized to increase the fee for the issuance of subdivision compliance letters from the present rate of \$15 per enquiry to a rate of \$20 per enquiry effective 1989 March 01.

Respectfully Submitted

Alderman W. M. McCulloch, Chairman  
Finance Committee

John Thompson, Secretary  
1989 February 07

mjw

REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The City of Hamilton Licensing Committee presents its SECOND Report for 1989 and respectfully recommends:

1. That the Cab Driver Licence application of Roger Crowder, 29 Oxford Street, Hamilton, be denied.

NOTE: For the information of Members of City Council, the City of Hamilton Licensing Committee, at its meeting held 1989 January 18, recommended that the licence application be denied on the grounds of the applicant's recent, extensive and violent criminal record. (Further information can be obtained from the Secretary.)

RESPECTFULLY SUBMITTED

ALDERMAN D. CHRISTOPHERSON  
CHAIRMAN  
LICENSING COMMITTEE

Stella M. Glover  
Secretary  
1989, January 18

/jc



REPORT OF THE NOMINATING COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Nominating Committee presents its FOURTH Report for the year 1989 and respectfully recommends:

1. Approval of the appointment of the following members of City Council to the Board of Directors for the Non-Profit (Hamilton) Housing Corporation:

His Worship Mayor Robert M. Morrow  
Alderman Brian Hinkley  
Alderman Geraldine Copps  
Alderman David Christopherson  
Alderman Dominic Agostino  
Alderman Tom Jackson  
Alderman Mary Kiss  
Alderman Henry Merling  
Alderman Don Ross

Term of office expires November 30, 1991.

Respectfully submitted,

MAYOR R. M. MORROW,  
CHAIRMAN.

February 14, 1989.

MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, FEBRUARY 28, 1989  
7:30 O'CLOCK, P.M.

URBAN MUNICIPAL

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

GOVERNMENT DOCUMENTS

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Smith, Jackson, Merling, Gallagher,  
Ross.

ABSENT: Alderman Lombardo (Regional Business)  
Alderman Murray (Vacation)

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend Datevk Melengitchian, St. Mary's Armenian Church, led the Council  
in prayer.

His Worship Mayor Robert M. Morrow made the following presentations:

- (i) Proclamation for "RED CROSS MONTH" - March 1st to March 31st, 1989,  
to Mr. Bill Traynor and Ms. Belinda Murray.
- (ii) Certificates of Recognition to former members of the following  
organizations:

Arts Advisory Sub-Committee  
Canadian Football Hall of Fame and Museum Management Committee  
Central Area Plan Implementation Committee  
Crystal Palace Sub-Committee  
Hamilton Entertainment and Convention Facilities Inc.  
Hamilton Historical Board  
Hamilton Region Conservation Authority  
Licensing Committee  
Parks and Recreation Citizens' Advisory Sub-Committee

The minutes of the meeting of February 14, 1989, were taken as read and approved.

\* \* \* \* \*

The following communications were received and forwarded to the appropriate  
Committee, except as indicated:

- 1. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to  
By-law Number 89-33, dated February 20, 1989. NO ACTION TAKEN.
- \*2. Letter from Mr. E. A. Simpson, City Clerk, advising objections received  
to By-law Number 89-34, dated February 20, 1989.

\*It was moved by Alderman Kiss and Seconded by Alderman Smith.

RESOLVED: that the objections received to By-law 89-34 be referred to the Planning and Development Committee. -

YEAS: Aldermen Kiss, Smith. - 2.

NAYS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Jackson, Merling, Gallagher, Ross. - 13. LOST.

3. Application from Henry and Olga Board, 89 Robinson Street, Hamilton, Ontario, for a change in zoning, property located at 289 Locke Street South, dated February 14, 1989.
4. Application from Starward Homes Limited, Mr. Ward Campbell, 152 Hester Street, Hamilton, Ontario, for a change in zoning, property located in the area north of Stone Church Road West and west of Chesley Street, dated February 14, 1989.
5. Application from Buckingham-York Limited (Ontario Corporation No. 299734), 57 John Street South, Hamilton, Ontario, for a further modification to the zoning, property located at 225 John Street South, dated February 17, 1989.
6. Application from Polonia Club Limited, 4-B Solidarnosc Place, Hamilton, Ontario, for a modification to the zoning, property located at Nos. 2 and 4 Solidarnosc Place, dated February 21, 1989.
7. Application from Hendrik Martinus Nyhof and Anne Karine Nyhof, 469 Bay Street North, Hamilton, Ontario, for a change in zoning, property located at 469 Bay Street North, dated February 23, 1989.
8. Application from 480748 Ontario Limited, 109 Reding Road, Ancaster, Ontario, for a further modification to the zoning for property located at 1004 Upper Wentworth Street, dated February 23, 1989.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Ross in the chair.

\* \* \* \* \*

(A) CO-ORDINATING COMMITTEE - FIFTH REPORT.

\* \* \* \* \*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTH REPORT.

\* \* \* \* \*



(C) PARKS AND RECREATION COMMITTEE - SIXTH REPORT.

The recommendation of the Co-Ordinating Committee on Section 3 was carried.

\*\*\*\*\*

It was moved by Alderman Gallagher and seconded by Alderman Cooke.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Agreement between the City and Maple Leaf Gardens concerning exchange of cheques for equipment/obligations/tax receipts. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Gallagher and seconded by Alderman Cooke.

- RESOLVED: (a) That the Mayor and City Clerk be authorized to sign an agreement between the City and Maple Leaf Gardens (MLG), subject to approval by City legal advisors and the Parks and Recreation Committee, and the City legal advisors prepare a By-law which authorizes the City Treasurer to issue a certified cheque to Maple Leaf Gardens for a Scoreboard and Concession Equipment for \$350,000. (Federal Sales Tax included, Provincial Sales Tax extra), subject to the value being confirmed through City staff and, in exchange, the City receive a certified cheque for \$345,919.43 from Maple Leaf Gardens representing the amount owed to the City for 1988 rent of Ivor Wynne Stadium used by the Ti-Cat Football Club - \$300,000. concession revenues for 1988 - \$42,980.17; and for realty and business taxes for January and February 1989 - \$2,939.26. A second certified cheque and not forming part of this agreement for \$4,080.57, representing a donation by Maple Leaf Gardens, will be issued by MLG to the City for which the City will issue an income tax receipt under subparagraph 110.1(1)(a)(iv) of the Income Tax Act.
- (b) That the City of Hamilton, as purchaser of the equipment, pay the Provincial Sales Tax of \$28,000. (8% of \$350,000.) and charge this amount to the Reserve for Capital Projects.

NOTE: Attached as Schedule "A" is a report dated February 28, 1989, from the City Treasurer to the Mayor and Members of City Council setting out details with regard to this matter.

\*\*\*\*\*

It was moved by Alderman McCulloch and seconded by Alderman Merling.

RESOLVED: that the resolution to authorize the Mayor and City Clerk to sign an Agreement between the City and Maple Leaf Gardens respecting the purchase of the scoreclock and concession equipment at Ivor Wynne Stadium, and exchange of cheques, be referred to the Parks and Recreation Committee. -

YEAS: Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Smith, Jackson, Merling, Ross. - 11.

NAYS: Mayor Morrow; Aldermen Agro, Agostino, Gallagher. - 4. CARRIED.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Cooke.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the appointment of Solicitors to provide legal services with respect to the Agreement pertaining to the Hamilton Tiger-Cat Football Club as authorized by City Council on February 14, 1989, and all legal matters relating thereto. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Cooke.

RESOLVED: that Martin & Martin, Barristers & Solicitors, Hamilton, Ontario, be retained to provide legal services with respect to the Agreement pertaining to the Hamilton Tiger-Cat Football Club, as authorized by City Council on February 14, 1989, and all legal matters relating thereto. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Christopherson and seconded by Alderman Hinkley.

RESOLVED: that the firm of Martin & Martin be directed to:

- 1) submit to Council a Draft Contract for review and approval, as soon as possible;
- \*2) meet and consult with our City legal staff during the development of their documents and that staff provide all relevant documents;
- \*\*3) provide to the City an objective second opinion, in writing, regarding the legality of Council's position, as it relates to The Municipal Act and other Statutes;

- 4) provide the Draft Contract and written legal opinion to Council Members at least 48 hours prior to a specially called meeting of Council. -

\*Recorded vote on Section 2.

YEAS: Aldermen Cooke, McCulloch, Hinkley, Drury, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross. - 11.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, Copps. - 4. CARRIED.

\*\*Recorded vote on Section 3.

YEAS: Aldermen Cooke, McCulloch, Hinkley, Drury, Christopherson, Smith, Jackson, Merling, Gallagher, Ross. - 10.

NAYS: Mayor Morrow; Aldermen Kiss, Agro, Copps, Agostino. - 5. CARRIED.

\* \* \* \* \*

(D) PLANNING AND DEVELOPMENT COMMITTEE - SIXTH REPORT.

It was moved by Alderman Hinkley and seconded by Alderman Drury.

RESOLVED: that Section 1 be amended by adding the following as Subsection (d):

"(d) That copies of the report be sent to the Secretary of the Hamilton Harbour Commissioners by the City Clerk." - CARRIED.

\* \* \* \* \*

(E) LEGISLATION COMMITTEE - FOURTH REPORT.

It was moved by Alderman Agostino and seconded by Alderman Smith.

RESOLVED: that Section 2 be amended by deleting the word "not" immediately before the words "be approved" in the last sentence of the first paragraph. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Gallagher and seconded by Alderman Agostino.

RESOLVED: that Section 2 be amended by adding the following as Subsection (c):

"(c) That apartment buildings already constructed, without garbage chute facilities, be exempt from this requirement." - CARRIED.

\* \* \* \* \*



It was moved by Alderman Copps and seconded by Alderman Cooke.

RESOLVED: that Section 11 be tabled. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Agostino and seconded by Alderman Gallagher.

RESOLVED: that Section 13, reading as follows:

"13. For the information of the members of City Council, the resolution recommending a review of the 'Young Offenders Act' which was presented to City Council 1989 January 31 and referred to the Legislation Committee for discussion and action was received by the Legislation Committee at its meeting held 1989 February 20."

be deleted and the following inserted in lieu thereof"

- "13. (a) That the Federal Government undertake a major review of the Young Offenders Act. That this review also involve public hearings across the Country.
- (b) That, as part of the review, the Federal Government consider setting a minimum age whereby juveniles charged with murder be tried in adult court.
- (c) That a copy of this resolution be forwarded to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario." -

\*\*\*\*\*

It was moved by Alderman Smith and seconded by Alderman Jackson.

RESOLVED: that the following be added to Section 13 as Subsection (d):

"(d) That this resolution be forwarded to Federal Members of Parliament." - CARRIED.

\*\*\*\*\*

(F) PERSONNEL COMMITTEE - SECOND REPORT.

\*\*\*\*\*

(G) FINANCE COMMITTEE - FIFTH REPORT.

\*\*\*\*\*

(I) INFORMATION SYSTEMS COMMITTEE - SECOND REPORT.

\*\*\*\*\*

(N) NOMINATING COMMITTEE - FIFTH REPORT.

\*\*\*\*\*

It was moved by Alderman Agostino and seconded by Alderman Jackson.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting racist comments made by McKenzie Porter in his column in The Toronto Sun. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Agostino and seconded by Alderman Jackson.

RESOLVED: that the Council of The Corporation of the City of Hamilton go on record as strongly disagreeing with the comments made by Mr. McKenzie Porter in his column in the February 6, 1989 issue of The Toronto Sun which are offensive and degrading to ethnic groups and people who are not born in Canada; and

That the Council of The Corporation of the City of Hamilton formally request the Ontario Press Council, the Ontario Human Rights Commission, and the Attorney General of the Province of Ontario, to undertake investigations to determine whether or not Mr. Porter is in breach or contravention of any rules, regulations, laws, or statutes and, if found to be so, to take appropriate action against Mr. Porter. - CARRIED.

\*\*\*\*\*

NOTICE OF MOTION

Alderman J. Smith gave notice that he would move the following Notice of Motion at the next regularly scheduled meeting of City Council.

RESOLVED: that approval for international travel guidelines be as follows:

1. approval for travel will be granted by Council on recommendation from the appropriate Committee.
2. before making a recommendation to Council the Committee will receive a report setting out:
  - the project cost
  - source of funding
  - purpose of trip and relevance to economic and cultural goals of the City of Hamilton
  - expected outcome
  - names and business interests of all persons accompanying the Council Member(s), and
  - manner and reason for their selection

3. That Council Member(s) making business trips, when accompanied by private sector people, will give due consideration to the propriety of the presence of such people at business meetings with prospective clients, depending upon the subject matter to be discussed.
4. That, in each instance of travel, consideration be given to the advisability of a staff member accompanying the Member(s) of Council.
5. That, upon return, the Member(s) of Council submit a report on the accomplishments achieved on a trip, follow-up to be undertaken and a statement of expenditures.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that Alderman Tom Murray be appointed Acting Mayor for the month of March, 1989. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Alderman Cooke, Kiss, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross. - 13.

NAYS: 0 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time:

A-9,  
B-33, B-34, B-35, B-36, B-37, B-38, B-39,  
D-23, D-24, D-25, D-26, D-27, D-28, D-29, D-30, D-31, D-32 - CARRIED.

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Ross in the chair.

A-9,  
B-33, B-34, B-35, B-36, B-37, B-38, B-39,  
D-23, D-24, D-25, D-26, D-27, D-28, D-29, D-30, D-31, D-32.

\*\*\*\*\*



Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a third time:

A-9,  
B-33, B-34, B-35, B-36, B-37, B-38, B-39,  
D-23, D-24, D-25, D-26, D-27, D-28, D-39, D-30, D-31, D-32.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Hinkley, Drury, Copps, Christopherson,  
Agostino, Smith, Jackson, Gallagher, Ross. - 12.

NAYS: 0 - CARRIED.

\* \* \* \* \*

City Council adjourned at 10.34 o'clock, p.m.

\* \* \* \* \*

## REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. That the City's Share of Services to be installed in "Highridge Hills - Stage 2" in the gross amount of \$34,044.39, as approved by City Council with the adoption of Section 15 of the FOURTH Report of the Transport and Environment Committee on February 14, 1989, be financed from the Reserve for City's Share of Services Through Unsubdivided Lands, Account No. RF 59003 25207.

NOTE: This project is included in the preliminary 1989-1993 Capital Budget and scheduled to commence in 1989.

The amount of \$19,769.15 from the total estimate of \$34,044.39 for this project will be recovered when the lands adjacent to the one foot reserve are developed.

2. That the City's Share of Services to be installed in "Rexford Gardens - Phase 2" in the gross amount of \$10,580.00, as approved by City Council with the adoption of Section 14 of the FOURTH Report of the Transport and Environment Committee on February 14, 1989, be financed from the Reserve for City's Share of Services Through Unsubdivided Lands, Account No. RF 59003 25207.

NOTE: This project is included in the preliminary 1989-1993 Capital Budget and scheduled to commence in 1989.

The additional funds will not be recovered when the lands adjacent to the one foot reserve are developed.

3. That leave be granted to introduce the following Bill:

(a) Bill A-9	A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.
--------------	--

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
CO-ORDINATING COMMITTEE

J. J. Schatz  
Secretary  
1989 February 23

**REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton.

**Members of Council:**

The Transport and Environment Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. That the Public Works Department annually endeavour to make Arrangements with the Royal Botanical Gardens to recycle Christmas trees rather than hauling the Christmas trees to SWARU for incineration.
2. That the City of Hamilton continue supplying potable water to residents in the rural areas in Ward Six.
3. That an Option to Purchase the southerly portion of 1368 Upper Wellington Street, duly executed by Romano Pecora on February 9, 1989 and scheduled for closing on or before April 24, 1989 be approved and completed.

**NOTE:** The subject property is required by the City for roadway purposes and is composed by part of Lot 13, Concession 7, in the former Township of Barton, now in the City of Hamilton. The Subject property having a width of 20.11 metres (66 feet) and a depth of 115.82 metres (380 feet), containing an area of 2,329.93 square metres (25,080 square feet), more or less, comprising the southerly 20.11 metres (66 feet) of Municipal No. 1368 Upper Wellington Street. The Purchase price of \$80 000 is to be charged to Account No. RF53003 25202.

4. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Tonoga Limited for the collection of garbage at 337 East 42nd Street, Hamilton.

**NOTE:** This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. This City's Garbage By-law No. 66-182 provides for such collection.



5. That the City Clerk be authorized and directed to:

- (a) give Notice of the City's application for approval to expropriate for roadway and municipal purposes, a parcel of vacant land measuring approximately 33.72 metres (110.63 feet) by 20.00 metres (65.62 feet), fronting on the southerly limit of Carson Drive, approximately 60 metres (196.85 feet) east of the easterly limit of Kingsberry Street, described more particularly as Part 1 on Plan 62R-10027. This notice shall be given to all owners, registered owners and tenants (as defined in the Expropriations Act) of the said land;
- (b) advertise Notice of the City's application in a newspaper as required by the Expropriations Act; and
- (c) sign and receive the said application for approval of this expropriation.

6. That the City Clerk be authorized and directed to:

- (a) give Notice of the City's application for approval to expropriate for roadway and municipal purposes, an irregular rectangularly-shaped parcel of land measuring approximately 26.00 metres (85.30 feet) by 176.854 metres (580.23 feet), known municipally as part of 1477 Upper James Street and described as Parts 6, 7, 8, 9, 10, 11, 12 and 13 on Plan 62R-9741. This Notice shall be given to all owners, registered owners and tenants (as defined in the Expropriations Act) of the said land;
- (b) advertise Notice of the City's application in a newspaper as required by the Expropriations Act; and
- (c) sign and receive the said application for approval of this expropriation.

7. That the National Transportation Agency be advised that:

- (a) Minutes of Settlement (the Minutes) were entered into between the Corporation of the City of Hamilton (the City) and the Toronto, Hamilton and Buffalo Railway Company (T.H. & B.) and Canadian Pacific Limited (C.P.) on May 1st, 1986 for the purpose of resolving an action commenced by the City against T.H. & B. and C.P. in 1981;
- (b) Paragraph 4 of the Minutes required the City to pass a by-law rescinding By-law No. 755 and waiving any and all breaches of By-law No. 755 by T.H. & B.;
- (c) Pursuant to paragraph 4 of the Minutes, the City, on June 25th, 1986, passed By-law 86-194, which rescinded By-law No. 755 and waived any and all breaches of the conditions of By-law No. 755 by T.H. & B.;

- (d) Notwithstanding paragraph 4 of the Minutes, paragraph 6 of the same Minutes requires, among other things, that,
    - i. the T.H. & B. and C.P. integrate the freight rail service and facilities then being operated by T.H. & B. into the C.P. rail system and to maintain those freight rail facilities at least as effectively and efficiently after integration,
    - ii. C.P. continue to operate the freight rail service to and within the City of Hamilton and serve the industries and businesses established there as effectively and efficiently and with as modern equipment, facilities and freight rail service as it services the industries or businesses of any other city or region of Canada;
  - (e) The effect of paragraph 6 of the Minutes is to preserve the responsibility of C.P. for the construction, repair or maintenance of the Poulette Street Bridge;
  - (f) The Poulette Street Bridge is a freight rail facility within the meaning of paragraph 6 of the Minutes and, thus, C.P. is obligated to maintain it at least as effectively and efficiently as before;
  - (g) C.P. is obligated to ensure that rail facilities like the Poulette Street Bridge meet modern standards and satisfy present needs.
  - (h) The cost of any work associated with the obligation of T.H. & B. and C.P. under paragraph 6 of the Minutes be borne completely by them;
  - (i) Accordingly, C.P. be ordered to reconstruct and maintain, at its own expense, the Poulette Street Bridge.
8. That the local Approvals Branch of the Ontario Ministry of the Environment be informed that:
- (a) The City of Hamilton has no objection to Rondar Inc. carrying out decontamination of low level PCB transfer oil for Hamilton Hydro at its 450 Nebo Road location provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional by-laws are complied with fully.
  - (b) No Specific City of Hamilton or Regional permits are required for the work proposed by Rondar Inc.
  - (c) The 30 day notification period that is normally required after a Certificate of Approval is issued be waived so that the proposed work can be carried out as scheduled.

9. That the application of Ground Tech, Agent, on behalf of the present owner of 121 King Street East to regain the encroachment consisting of concrete steps measuring 3'0" x 3'6" be approved during the pleasure of Council provided:
  - (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.
  - (b) That a first year fee of \$105 and subsequent annual fee of \$20 be set for this privilege.
  - (c) That the Mayor, City Clerk, and City Treasurer be authorized to sign and execute all necessary documents to implement this agreement.
10.
  - (a) That, in combination with the existing "Alternate Side Parking" regulation, a "One Hour Parking Time Limit, 24 hours a day, 7 days a week" regulation be implemented on both sides of Emerald Street South between Main Street East and King Street East; and
  - (b) That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first eight applicants residing in the apartment building at No. 11 Emerald Street South.
  - (c) That a "Permit Parking" regulation be implemented on the north side of Peter Street between Locke Street and Pearl Street;
  - (d) That the Director of Traffic Services be authorized to issue one parking permit, upon request, to one resident of each of the one, two and three family dwellings abutting the block, and any additional permits to a maximum of 15 on a first come first served basis; and
  - (e) That the existing "One Hour Parking Time Limit" regulation on the north side of Sanders Boulevard between Dalview Court and Binkley Crescent be shortened such that the regulation commences at Daleview Court and extends to a point 77 feet west of Binkley Crescent; and
  - (f) That City Traffic By-law 66-100 be amended accordingly.
11.
  - (a) That eastbound traffic on both the north and south legs of Boston Crescent be required to stop for northbound and southbound traffic on Birchcliffe Crescent; and
  - (b) That the existing supervised school crosswalk across King Street West at Bond Street be relocated to a midblock location approximately 100 feet west of Bond Street at the curve in the roadway directly in front of George R. Allan Public School; and



- (c) That City Traffic By-law 66-100 be amended accordingly.
12. (a) That a permit parking regulation be implemented on south side of Crestwood Drive, commencing at a point 142 feet east of David Avenue and extending to a point 40 feet easterly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one parking permit to each of the two handicapped residents of 20 Crestwood Drive; and
- (c) That a "Permit Parking" regulation be implemented on the west side of Dundurn Street South, commencing at a point 86 feet north of Glenside Avenue and extending to a point 21 feet northerly therefrom; and
- (d) That the Director of Traffic Services be authorized to issue one parking permit to Mrs. Doris Dean, 428 Dundurn Street South; and
- (e) That City Traffic By-law 66-100 be amended accordingly.
13. (a) That the existing Residential Boulevard Parking Agreement between the City and Audrey H. Worthington, registered as instrument number 202782 C.D. to the property at 21 Cambridge Avenue be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.
14. (a) That in accordance with the request of the Hamilton Street Railway Company, the following bus stop relocation be approved:
- Limeridge Route - Southbound - Delete - Kingfisher Drive at Curlew Avenue (F/S)
- Add - Kingfisher Drive at Limeridge Road (N/S)
- (b) That City Traffic By-law 66-100 be amended accordingly.
15. (a) That the Hamilton Beach Neighbourhood be designated as a Neighbourhood Watch Area; and
- (b) That Neighbourhood Watch signs for the Hamilton Beach Neighbourhood be erected and maintained by the City Traffic Department, as long as these neighbourhoods maintain an active Neighbourhood Watch Program as determined as the Regional Police Department; and
- (c) That the necessary funds in the amount of \$500 be charged to Account No. 0345-0560 (Neighbourhood Watch Program).

16. (a) That By-law No. 75-155 (Parking of Motor Vehicles on Private Property and Municipal Property) be consolidated; and
- (b) That By-law No. 66-100 To Regulate Traffic be consolidated; and
- (c) That By-law No. 77-221 (The Parks By-law) be consolidated; and
- (d) That By-law N. 75-168 (Fire Routes) be consolidated; and
- (e) That the Traffic Department be directed to prepare the necessary documents for the City of Hamilton to enter into Part II of the Provincial Offences Act.
17. That leave be granted to introduce the following Bills:
- (a) B-33 By-law to Consolidate By-law No. 66-100 to Regulate Traffic
- (b) B-34 By-law to Consolidate Fire Routes By-law No. 75-168.
- (c) B-35 By-law to Consolidate Parks By-law No. 77-221.
- (d) B-36 By-law to Consolidate Parking of Motor Vehicles on Private Property and Municipal Property By-law No. 75-155.
- (e) B-37 Local Improvement Charges for Construction of Roads, Curbs, Sidewalks, and Alleys.
- (f) B-38 By-law to Amend By-law 66-100 to Regulate Traffic.
- (g) B-39 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 February 20

/lp

## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its SIXTH Report for 1989 and respectfully recommends:

1. For the information of Council, the membership of the Steering Committee established to assist the Consultant in conducting a Feasibility Study for the short, medium and long term needs for arenas, and a skating rink in the downtown area, as presented as information in the Third Report of the Parks and Recreation Committee to Council on January 31st, has been approved by the Parks and Recreation Committee as follows:

Alderman D. Agostino, Chairman  
Alderman T. Murray  
Alderman J. Gallagher  
Ms. J. Rapsavage, Parks & Recreation Advisory Committee  
Frank Hickey, Parks & Recreation Advisory Committee  
John Penner, Citizen Member  
Peter Burrows, Lawfield Ringette Association  
Reg Jarvie, Hamilton Minor Hockey Council  
Mrs. Lynn Smith, Hamilton/Stoney Creek Figure Skating Club  
Mr. Murray Long, Regional Non-Contact Hockey League Oldtimers  
Miss Audell Schimmel, Director of Culture & Recreation  
Mr. Doug Farquhar, Department of Culture & Recreation  
Mr. David Godley, Planning Department  
Mr. Wm. Kriesel, Consultant, Ministry of Tourism & Recreation

2. That approval be granted the Hamilton Disarmament Coalition to sell food and non-alcoholic beverages on the occasion of their Peace Rally to be held in Dundurn Park, May 13, 1989, subject to the following terms and conditions:
  - (a) Provide proof of \$1 million dollars Comprehensive General Liability Insurance for Property Damage and Bodily Injury, same to be submitted 30 days in advance, and naming the City as co-insured.
  - (b) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc.)
  - (c) That special duty officers as deemed necessary by the Hamilton-Wentworth Regional Police be provided at the applicant's expense.



- (d) That the location of various booths and stalls within the park be subject to the approval of the Parks Division staff in order to reduce damage and high maintenance costs.

NOTE: Approval is required pursuant to Parks By-Law No. 77-221.

3. (a) That approval be given to the allocation of funds, in accordance with the policy as approved by City Council on 1986, May 13 and as amended on 1986, October 26, for the purchase and installation of metal playlot equipment for the following projects:

- Eastwood Park (North End East Neighbourhood) \$ 5 000  
to match those funds raised in the community.

NOTE: The estimated total for the Eastwood Project is \$15 000 for a creative metal climber.

- Robert Land School (Keith Neighbourhood) \$ 5 000

TOTAL \$10 000

- (b) That the Co-ordinating Committee be requested to recommend the method of financing for these projects.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE  
INSTALLATION OF METAL PLAYLOT EQUIPMENT IN THE  
GROSS AMOUNT OF \$10 000 BE FINANCED FROM THE  
RESERVE FOR ACQUISITION OF PROPERTIES UNDER  
THE PLANNING ACT, ACCOUNT NO. RF 56006 25301.  
CARRIED.

4. (a) That the lease between the City of Hamilton and Lynda Mary Ashbee be terminated and that approval be given to lease approximately 7,800 square feet of vacant land at the rear of 124 Kimberley Drive to Lisa Dobson, effective April 1, 1989 at a rental of \$1 per year, plus realty taxes estimated at \$200 for 1989.
- (b) That an agreement prepared by the City Solicitor be executed by the Mayor and City Clerk.
5. (a) That Gurnett Investments Limited be paid the sum of \$11 700 as full market value compensation for the remaining parkland credit balance of 527.10 square metres (0.13 acres), and

- (b) That payment to Gurnett Investments Limited for lands in excess of the statutory 5% Parkland dedication requirements be charged to the "Reserve for Acquisition of Land under the Planning Act" - Account No. RF 53006 25301.

NOTE: As this company does not anticipate any further land development in the City of Hamilton in the near future, it is requesting that the outstanding credit balance of 527.10 square metres (0.13 acres) be purchased for its fair market value of \$11 700.

- 6. That a purchase order be issued to Blue Mountain Resorts Limited, Collingwood, in the amount of \$78 000 plus Provincial sales tax, for the supply and delivery of a replacement Bombardier BR400 Snow Groomer for King's Forest Ski Lift.

NOTE: Only available supplier. Funds provided in Uninsured Losses Account No. RF55006-25217.

As this machine is required immediately to maintain the ski hills, the above has been processed through the emergency procedures of the City of Hamilton Purchasing, that states "An order can be placed upon the approval two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

- 7.
  - (a) That the City exercise its option to extend the existing agreement for food concessions at Globe Park, with Ruth Stefan for an additional term, originally approved as Item 8 of the 16th Report for 1986 Parks and Recreation Committee and approved by Council June 24, 1986.
  - (b) That Ruth Stefan also be granted permission to sell food and beverages at Mountain Brow Park in conjunction with the Victoria Day Celebrations, on the understanding that she will provide to the City 15% of the gross sales and the insurance satisfactory to the City Solicitor.
- 8.
  - (a) That the minutes of the Ad Hoc Panel established by the Parks and Recreation Committee to study the Hamilton Museum of Steam and Technology be distributed to all members of the Hamilton Historical Board.
  - (b) That all draft reports and the final report of any consultants appointed by the Ad Hoc Panel to investigate and report on the Hamilton Museum of Steam and Technology be distributed to all members of the Hamilton Historical Board.

- (c) That a copy of the Ad Hoc Panel's recommendations concerning the Hamilton Museum of Steam and Technology be forwarded to the Hamilton Historical Board prior to their presentation to the Parks and Recreation Committee in order that Board members may comment upon them.
- (d) That the minutes of the Hamilton Historical board since 1 January 1988 and all reports and correspondence submitted to the Board in reference to the Hamilton Museum of Steam and Technology be compiled into an information package and distributed to each member of the Ad Hoc Panel, the Parks and Recreation Committee, the Volunteer Pump Group, and any consultant appointed by that Committee.
- (e) That the Chairman of the Hamilton Historical Board be appointed to the Ad Hoc Panel investigating the operation and future of the Hamilton Museum of Steam and Technology.
- (f) That a presentation outlining the involvement and actions of the Hamilton Historical Board since 1 January 1988 in respect to the Hamilton Museum of Steam and Technology be made to the Parks and Recreation Committee by representatives of the Hamilton Historical Board.
- (g) That the Parks and Recreation Committee reconsider the 1989 May 22nd re-operating target date for the Steam Museum, in view of the numerous safety issues needing to be addressed, and aim for another historic re-operating target date.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN J. GALLAGHER, ACTING CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1989 February 21

/lp



**REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE**

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **SIXTH** Report for 1989 and respectfully recommends:

1. (a) That City Council **REFER** each of the recommendations contained in the Report of the Task Force to Review the Mandate and Structure of the Hamilton Harbour Commissioners to the appropriate Standing Committees for review and recommendations back to City Council for approval; and,
- (b) That the recommendations requiring only City Council approval **BE REFERRED** to the Planning and Development Committee for discussions on an individual basis and recommendations back to City Council; and,
- (c) That the Chief Administrative Officer **BE DIRECTED** to ensure that the recommendations contained in the Task Force Report are presented to the appropriate Standing Committees.
- \* (d) That copies of the Task Force report be sent to the Secretary of the Hamilton Harbour Commissioners by the City Clerk.

**NOTE:** Copies of the Report of the Task Force to Review the Mandate and Structure of the Hamilton Harbour Commissioners have been distributed to all members of City Council and Department Heads. Additional copies are available from the Committee Secretary.

2. That the Building Commissioner **BE AUTHORIZED** to issue demolition permits for the following properties:-
  - (a) 101 Arbour Road
  - (b) 489 Cochrane Road
  - (c) 498 Cochrane Road
3. (a) That, the request of the merchants in the proposed area for designation (hereinafter referred to as the Locke Place B.I.A.), to adopt a by-law designating a Business Improvement Area (B.I.A.) from 80 Locke Street South to 260 Locke Street South inclusive, and 281 Herkimer Street, as indicated on Schedule 'A' attached herewith and marked **APPENDIX "A"**, **BE APPROVED**; and,
- (b) That, the City Solicitor **BE HEREBY AUTHORIZED** and directed to prepare, and submit to City Council a by-law, pursuant to Sub-section (1), Section 217, The Municipal Act, R.S.O. 1980, designating Locke Street Association as a B.I.A. following the appropriate circularization procedures.

\* Section 1(d) added during Council

4. (a) That, the request of the Main Street West Business Association to adopt a by-law designating a Business Improvement Area on Main Street West, generally from Locke to Queen Streets as indicated on Schedule 'A' attached herewith and marked APPENDIX "B", BE APPROVED; and,
- (b) That, the City Solicitor BE HEREBY AUTHORIZED and directed to prepare, and submit to City Council a by-law pursuant to Sub-section (1), Section 217, The Municipal Act, R.S.O. 1980, following the appropriate circularization procedures.
5. That a repayable loan, under the Commercial Facade Loan Programme, in the amount of fifteen thousand dollars (\$15,000.) BE APPROVED for Daniel R. Logan and Lauchlin D. Cameron, 489 Concession Street. The interest rate to be 6 percent, amortized over 10 years.
6. That the City of Hamilton ACCEPT the sum of \$9,990. as cash payment in lieu of 5% dedication in connection with "Templemead No. 2 Survey - Phase 6", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located west of Upper Ottawa Street and north of Rymal Road in the Templemead Neighbourhood.

7. That the Corporation of the City of Hamilton ACCEPT the sum of \$6,560. as cash payment in lieu of 5% dedication in connection with "Clerico Court", Hamilton, this being the cash requirement under Section 50 of The Planning Act.

NOTE: These lands are located west of Mount Albion Road on the south side of Hixon Road in the Red Hill Neighbourhood, Hamilton.

8. (a) That the City Modified Subdivision Agreement for 203 Rymal Road West BE AMENDED to allow the acceptance of a 5% land dedication as the 5% Parkland Dedication requirement in lieu of the 5% cash payment originally paid.
- (b) That the City Treasurer BE AUTHORIZED and directed to reimburse the owner, Shedaco Holdings Limited, in the amount of \$10,500., as the amount originally paid in cash for the 5% Parkland Dedication requirement.

NOTE: The City is being asked to refund the owner \$10,500., being an interim payment, subject to future land dedication for park purposes. Staff believes that the proposed land dedication is of more benefit to the City.

In July of 1988, staff agreed to accept the sum of \$10,500. as the 5% Parkland Dedication requirement for the subject development with the intention of refunding this once final approval had been obtained for another development within the same neighbourhood owned by the same owner, and known as Abbey Hill Farm - Phase 1.

The cash amount was accepted on a temporary basis in order not to hold up the subject development.

Under the City Subdivision Agreement for Abbey Hill Farm - Phase 1, the owner dedicated a Block of land, Block 46, totalling 8,895.50m<sup>2</sup> for Parkland purposes. The 5% requirement for that development was 3,248.88m<sup>2</sup>.

The 5% requirement for the subject development is 140.50m<sup>2</sup>. After deducting this from the remaining balance, the new Parkland Credit Balance will be 5,506.15m<sup>2</sup> which may be used by this owner in the same neighbourhood for future developments.

These lands are located west of Upper James Street and south of Rymal Road in the Kennedy East Neighbourhood.

9. That Section 8 of the Twenty Second Report for 1988 of the Planning and Development Committee respecting a zoning application for property at 373 Brunswick, BE AMENDED, by deleting Subsection (b) which reads as follows:

"That the By-law not be forwarded to City Council for passage until the applicant has received final approval of a land severance through Regional Land Division Committee."

NOTE: On 1988 November 8, City Council approved a modification to "C" District zoning to permit the severance of the subject lands for two single family dwellings.

The applicant has received approval from the Land Division Committee for the severance but the conditions of the severance cannot be executed until the lands have been rezoned. Accordingly, the condition, as set out in Subsection (b), has been fulfilled to the satisfaction of the Planning and Development Department



10. That APPROVAL be given to Zoning Application 87-92, S. Wise Construction Limited, owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Residential - One and Two Family) District, for property at 318 Lockheed Drive and 742 Upper Kenilworth Avenue, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District, to "D" (Residential - One and Two Family) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E59A for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "D" (Residential - One and Two Family) District, for property located at 318 Lockheed Drive and 742 Upper Kenilworth Avenue.

The effect of the By-law is to permit development of the subject lands in conjunction with lands located northerly for a semi-detached dwelling.

11. That APPROVAL be given to amended Zoning Application 88-96, Joseph Venditti, prospective owner, requesting a change in zoning from "L-c" (Planned Development - Commercial) District to "HH" (Restricted Community Shopping and Commercial) District to permit the construction of a two storey commercial office building having a total gross floor area of approximately 1,755m<sup>2</sup> (18,900 sq.ft.), for property located at 987 Rymal Road East, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the subject lands be rezoned from the "L-c" (Planned Development - Commercial ) District to the "HH" (Restricted Community Shopping and Commercial) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-49D and E-49E for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from the "L-c" (Planned Development - Commercial) District to the "HH" (Restricted Community Shopping and Commercial) District, for lands located at 987 Rymal Road East.

The effect of the By-law is to permit the demolition of the existing dwelling, and the construction of a 2 storey general office building having a total gross floor area of approximately 1,755m<sup>2</sup> (18,900 sq.ft.)

12. That APPROVAL be given to amended Zoning Application 88-97, Love Produce Distributors Ltd., owner, requesting a change in zoning from "G-3" (Public Parking Lots) District modified to "RT-30" (Street Townhouse) District modified to permit the development of a street townhouse dwelling having 5 single-family dwelling units on lands located at 204-214 Hess Street North, as shown on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the subject lands be rezoned from "G-3" (Public Parking Lots) District modified to "RT-30" (Street-Townhouse) District;
- (b) That the "RT-30" (Street-Townhouse) District regulations as contained in Section 10F of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
  - (i) That notwithstanding Section 10F(4)(a) a front yard depth of not less than 4.2m shall be provided from Hess Street North, provided that the entrance to any garage shall be setback not less than 6.0m from Hess Street North, and a front yard depth of not less than 1.2m shall be provided from Windsor Street;
  - (ii) That notwithstanding Section 10F(4)(b) a rear yard depth of not less than 4.0m shall be provided;
  - (iii) That notwithstanding Section 10F(4)(c) a side yard width of no less than 1.2m shall be provided along the northerly lot line;
  - (iv) That notwithstanding Section 10F(6)(i) a lot area of not less than 100m<sup>2</sup> shall be provided for each single-family dwelling unit;
  - (v) That a visual barrier not less than 1.2m in height and not greater than 2.0m in height be provided and maintained along the rear lot line and northerly side lot line;

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1115, and that the subject lands on Zoning District Map W-3 be notated S-1115;
- (d) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-3 for presentation to City Council;
- (e) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (f) That the approved Central Neighbourhood Plan be amended by redesignating the subject lands from "Commercial" to "Attached Housing".

NOTE: The purpose of the By-law is to provide for a change in zoning from "G-3" (Public Parking Lots) District modified to "RT-30" (Street-Townhouse) District for lands located at 204-214 Hess Street North.

The effect of the By-law is to permit the redevelopment of the subject lands for a street-townhouse dwelling having a maximum of five (5) single-family dwelling units. In addition, the By-law provides for several modifications as special requirements.

- 13. (a) That APPROVAL be given to Official Plan Amendment No. 71 to establish a "Special Policy Area" to permit limited commercial uses on the subject lands, and the City Solicitor be directed to prepare a By-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That APPROVAL be given to amended Zoning Application 88-117, Carlo Del-Sordo, owner, for a modification to the "M-13" (Prestige Industrial) District to permit additional commercial uses on the property located at No. 1249 Stone Church Road East, as shown on the attached map marked as APPENDIX "F", on the following basis:
  - (i) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as a special requirement:
    - (1) That in addition to the uses permitted in Section 17E(1) of By-law No. 6593, the following commercial uses shall also be permitted:



<u>Use</u>	<u>S.I.C.</u> <u>Identification</u>
(A) Office and Store Machinery, Equipment and Supplies, Wholesale	5791
(B) Liquor Stores	6021
(C) Wine Stores	6022
(D) Beer Stores	6023
(E) Appliance, Television, Radio and Stereo Stores	6221
(F) Home and Auto Supply Stores	6341
(G) General Stores	6412
(H) Hardware Stores	6531
(I) Other Banking-Type Intermediaries	7029
(J) Insurance and Real Estate Agencies	7611
(K) Office of Chartered and Certified Accountants	7731
(L) Restaurants, Licenced	9211
(M) Taverns, Bars and Night Clubs	9221
(N) Self-Serve Laundries and/or Dry Cleaners	9723
(O) Combination Barber and Beauty Shops	9713
(P) Offices of Chiropractors and Osteopaths	8661
(2) That notwithstanding Section 17E(2)(b)1(ii) a side yard having a width of not less than 3.0 metres shall be provided and maintained along the westerly lot line.	
(ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1116, and that the subject lands on Zoning District Map E-59C be notated as S-1116.	
(iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-59C for submission to City Council.	

- (iv) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 71 by the Regional Municipality of Hamilton-Wentworth.

NOTE: The purpose of this By-law is to provide for a modification to the "M-13" (Prestige Industrial) District regulations for property located at 1249 Stone Church Road East.

The effect of the By-law is to permit, in addition to the "M-13" (Prestige Industrial) District uses, several additional commercial uses.

14. That APPROVAL be given to Zoning Application 88-120, Cadillac Fairview Corporation Limited, owner, requesting a further modification to the established "G-1" (Designed Shopping Centre) District, to permit dancing in conjunction with a restaurant for property located at 75 Centennial Parkway North, as shown on the attached map marked as APPENDIX "G", on the following basis:

- (a) That the "G-1" (Designed Shopping Centre) District, regulations as contained in Section 13A of Zoning By-law No. 6593 as amended by By-law No. 71-97, applicable to the subject lands, be further modified to include the following variance as a special requirement:
  - (i) Notwithstanding Section 13A.(1)(iii) and Section 13.(1)(vii) a restaurant or refreshment room with dancing or other entertainment shall be permitted;
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-199a, and that the subject lands on Zoning District Maps E-104 and E-105 be notated as S-199a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-104 and E-105 for presentation to City Council;
- (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a further modification to the established "G-1" (Designed Shopping Centre) District regulations for lands located at 75 Centennial Parkway North.

The effect of the By-law is to permit dancing in conjunction with a restaurant (Moviola Cafe) located within 75 Centennial Parkway North (Eastgate Square).

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15. That the account of Weir & Foulds, Barristers and Solicitors, dated 1989 January 31, in the amount of \$45,019.77 BE APPROVED.

NOTE: This account covers their litigation services for the City for the month of 1989 January.

16. That the following application fees BE INCREASED for the processing of City Applications administered by the Planning and Development Department:
- (a) That the existing \$250. fee for zoning applications be increased to \$500. for 1989 and \$750. for 1990.
  - (b) That the existing \$250. fee for an Official Plan Amendment be increased to \$500. for 1989 and \$750. for 1990.
  - (c) That the existing \$125. fee for net site plan applications be increased to \$250. for 1989 and \$350. for 1990.
  - (d) That the existing \$65. fee for an amendment to an approved site plan be increased to \$100. for 1989 and \$150. for 1990.
  - (e) That the applicant be required to pay all costs associated with the referral of a zoning by-law and/or an Official Plan Amendment to the Ontario Municipal Board.
  - (f) That the applicant be required to pay all costs for outside professional witnesses and legal services where the City of Hamilton finds it necessary to hire such persons in support of an application before the Ontario Municipal Board Hearing.
  - (g) That the City Solicitor be directed to prepare a by-law to adopt the above fees, effective March 01, 1989 and 1990.
17. That leave be granted to introduce the following Bills:
- (a) Bill D-23 A By-law to amend Zoning By-law No. 6593 respecting land located at part of Municipal No. 101 Dartnall Road.
  - (b) Bill D-24 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 81-344 respecting land located to the north of Municipal No. 395 Centennial Parkway North.
  - (c) Bill D-25 A By-law to amend Zoning By-law No. 6593 respecting lands located at the rear of Municipal Nos. 1500, 1514 and 1522 Upper Ottawa Street.
  - (d) Bill D-26 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 60 Dalhousie Avenue.

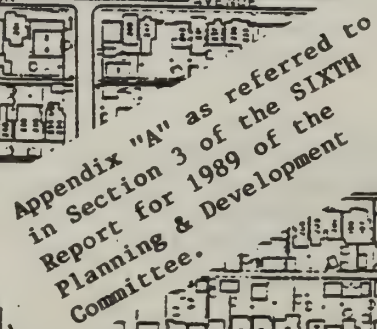
- (e) Bill D-27 A By-law to amend Zoning By-law No. 6593 respecting lands located at Municipal Nos. 130, 132, 134 and 136 Young Street.
- (f) Bill D-28 A By-law to amend Zoning By-law No. 6593 as amended by By-law No. 87-306 respecting Adult Entertainment Parlours located at Municipal Nos. 92 Barton Street East, 1038 Barton Street East, 229 Kenilworth Avenue North, 150 Centennial Parkway North, 1545 Upper James Street, 95 King Street East and 54 King Street East.
- (g) Bill D-29 A By-law to adopt Official Plan Amendment No. 70 respecting the southern portion of those lands known Municipally as Nos. 282, 284, and 288 Grays Road, within the Riverdale East Neighbourhood.
- (h) Bill D-30 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal Nos. 282, 284, and 288 Grays Road.
- (i) Bill D-31 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 71-97 respecting land located at Municipal No. 75 Centennial Parkway North.
- (j) Bill D-32 A By-law to authorize a Tariff of Fees.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING & DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1989 February 15  
1989 February 16  
1989 February 22

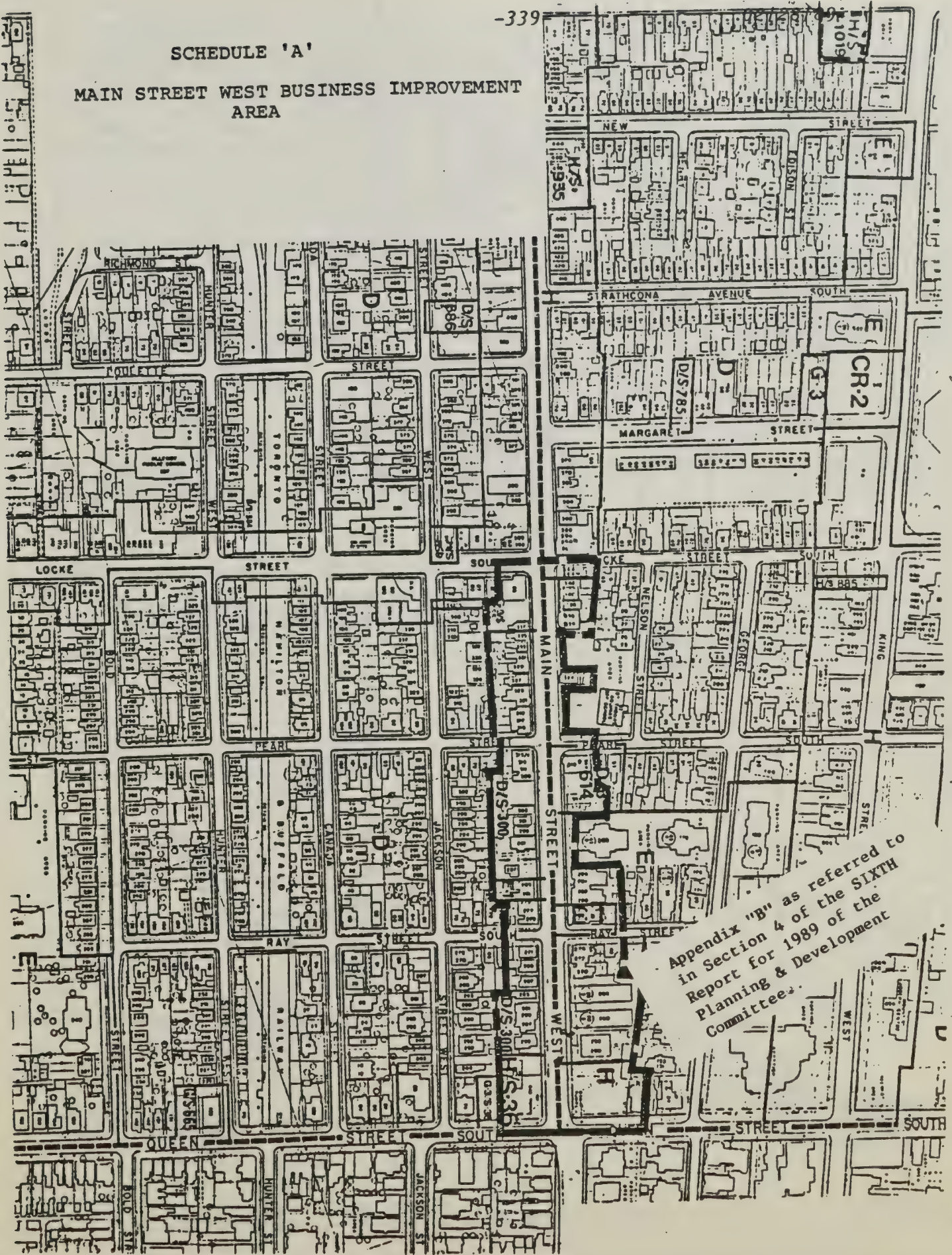






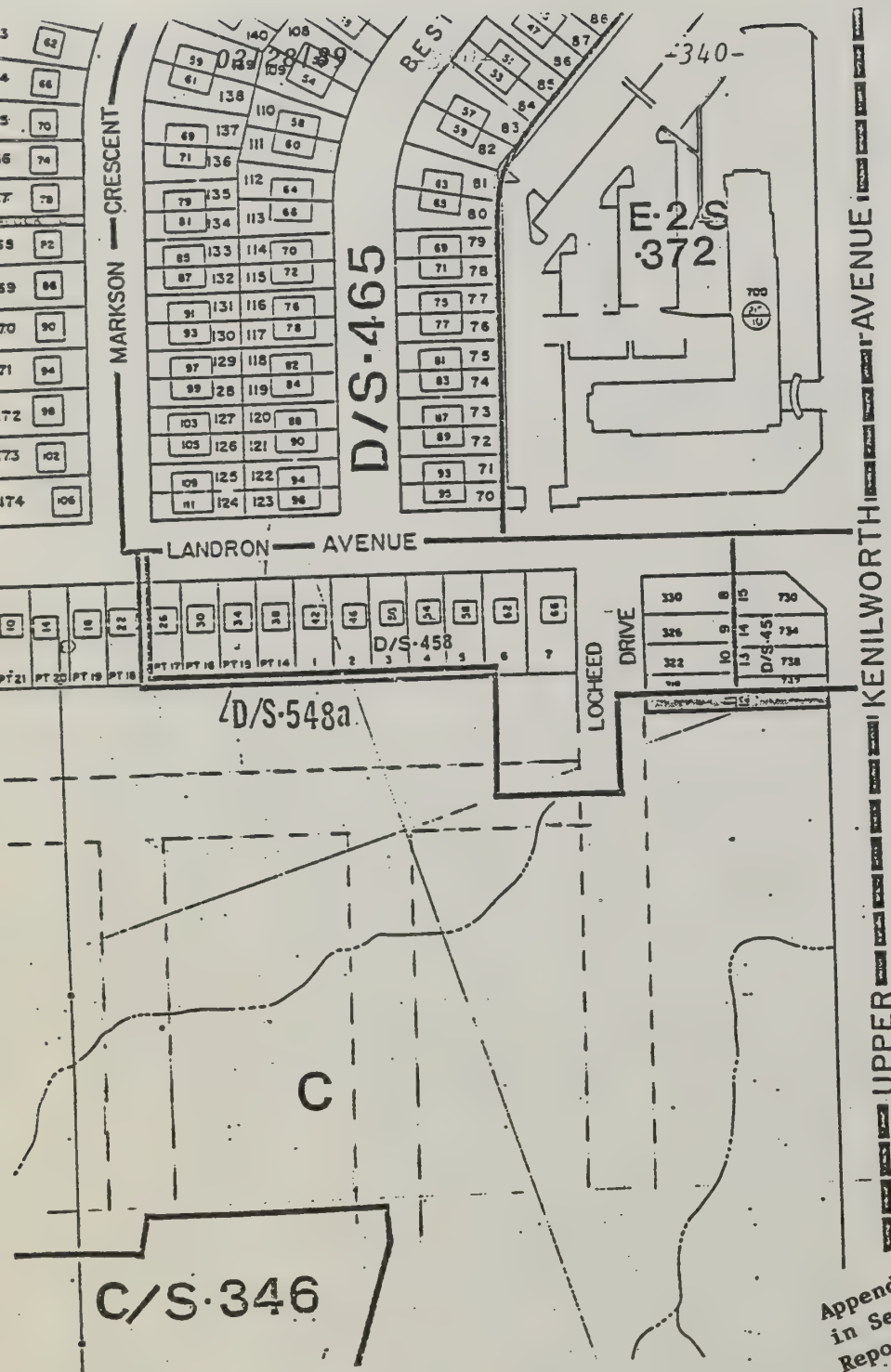
SCHEDULE 'A'

MAIN STREET WEST BUSINESS IMPROVEMENT  
AREA

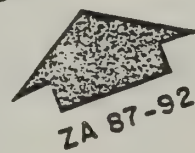


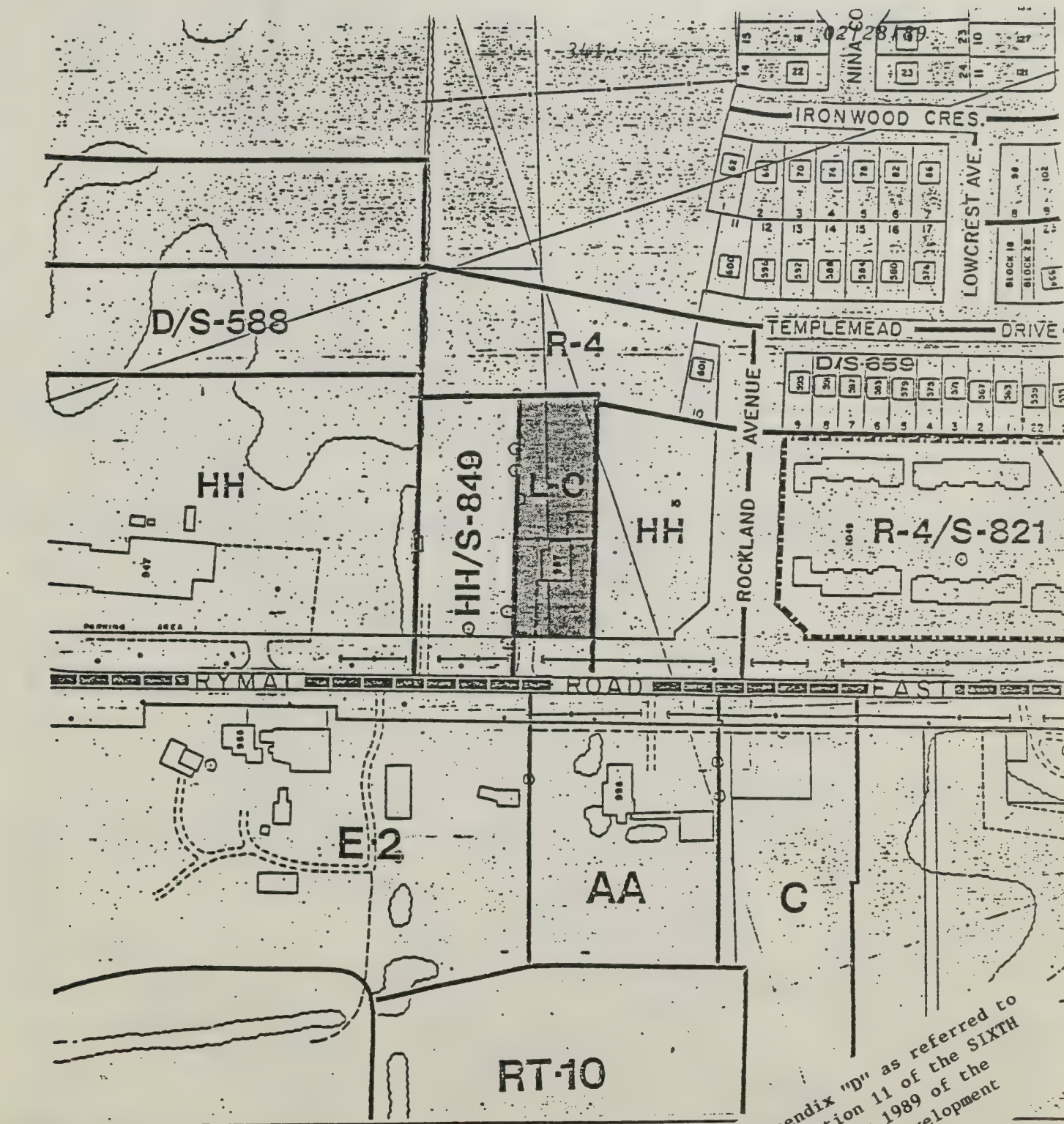
Appendix "B" as referred to  
in Section 4 of the SIXTH  
Report for 1989 of the  
Planning & Development  
Committee.





Appendix "C" as referred to  
in Section 10 of the SIXTH  
Report for 1989 of the  
Planning & Development  
Committee.



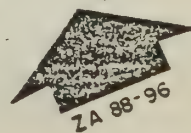


Legend



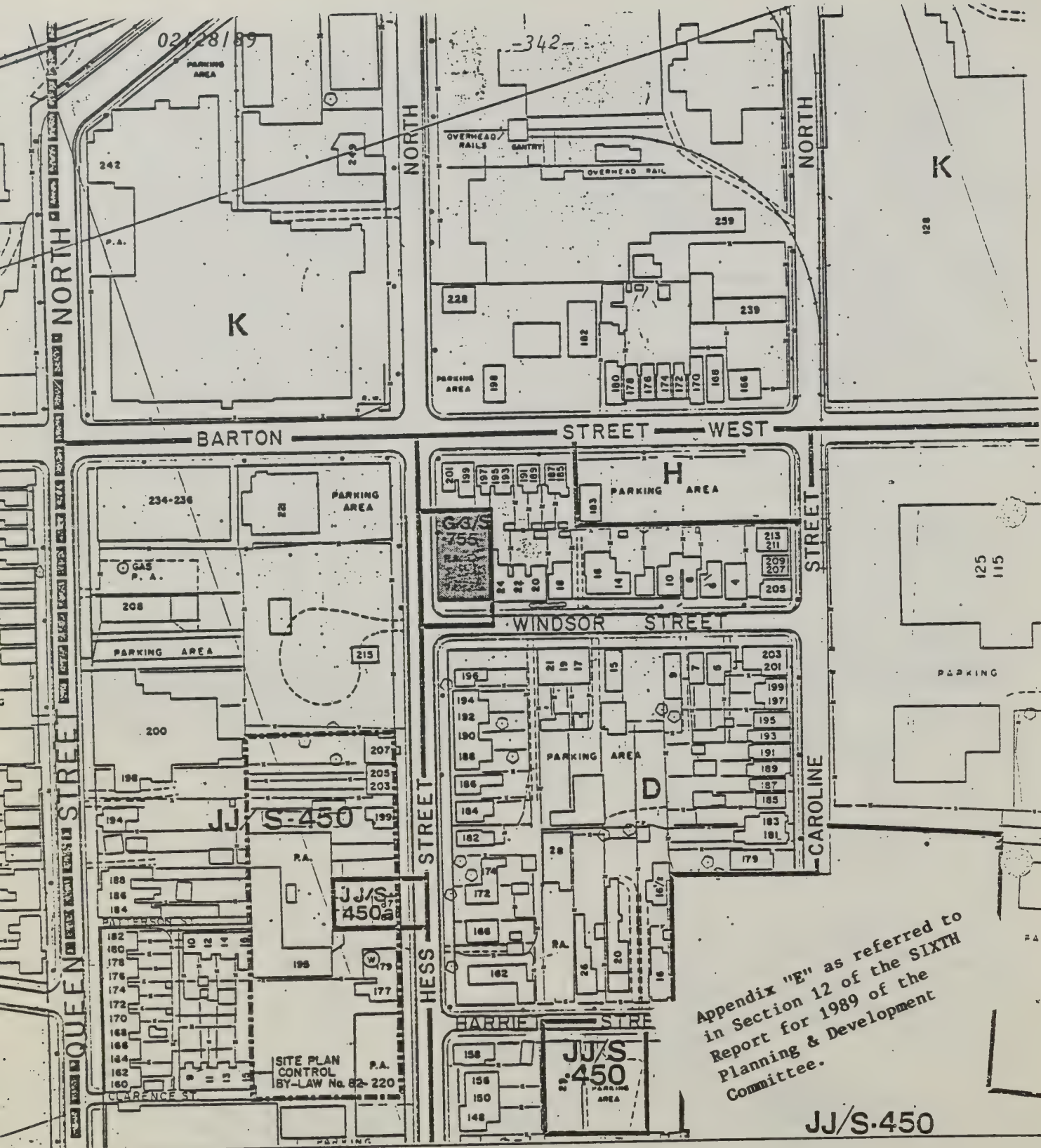
Site of the Application

Appendix "D" as referred to  
in Section 11 of the SIXTH  
Report for 1989 of the  
Planning & Development  
Committee.



APPENDIX A





Legend



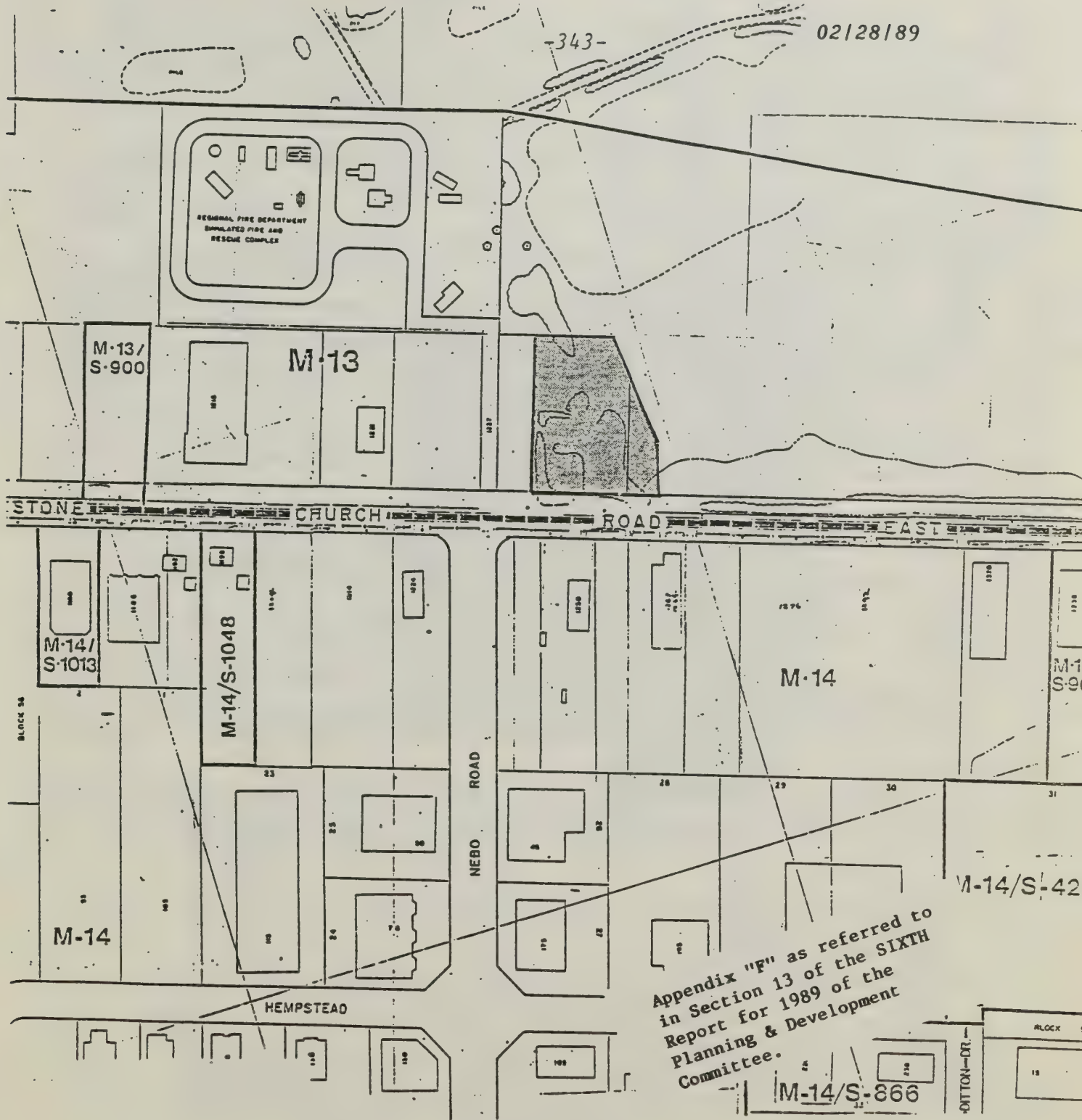
Site of the Application



APPENDIX A

-343-

02/28/89



LEGEND



SITE OF THE APPLICATION

APPENDIX "A"

ZA 88-117



02128189

-344-

HH/S-390

DE-2/S-293

DE-2 S-27

L-r Lmr-1

HH

C

L-c

HH

Lmr-1

C/S-769

G-1/S-199

G-1/S-199

DE-2/S-22

DE-2 S-48A

DE-3

E-2

Appendix "G" as referred to  
in Section 14 of the SIXTH  
Report for 1989 of the  
Planning & Development  
Committee.

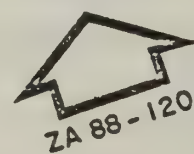
## LEGEND



SITE OF THE APPLICATION



LOCATION OF "MOVIOLA CAFE"



ZA 88-120

APPENDIX "A"



REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its FOURTH Report for 1989 and respectfully recommends:

1. (a) That the City Clerk be authorized and directed to remit payment to the Association of Municipalities of Ontario in the amount of \$10 630.72 for the City of Hamilton's 1989 membership fee.
- (b) That this cost be financed from Account No. CH56006-10001, City of Hamilton Memberships.

\*2. That the following recommendations which were referred to the Legislation Committee by the Planning and Development Committee for consideration and action, not be approved.

- (a) That City Council petition the Provincial Government to enact legislation to require the location and use of garbage chutes to be on all floors of apartment buildings.
- (b) That the above petitioning also be forwarded to the Ontario Building Code Committee.

Note: The above matter dealing with the location and use of garbage chutes was lost on a tie vote of the Legislation Committee and in accordance with established policy is now being submitted to City Council for its consideration and disposition.

3. That permission be granted to the Serbian Eastern Orthodox Church "St. Nicholas" to hold a short commemorative observance ceremony in the City Hall forecourt on Saturday, 1989 July 01 to commemorate the 600th Anniversary of the Battle of Kosovo, Serbia, Yugoslavia.
4. That permission be granted to the Canadian Polish Congress, Hamilton District to fly their national flag and to use the City Hall Council Chambers for a proclamation ceremony on Saturday, 1989 May 27 at 10:00 o'clock a.m. to 1:00 o'clock p.m.

\* Section 2 amended, see page 349

5. That permission be granted to the Y.W.C.A. to use the City Hall forecourt for their annual Strawberry Festival on Thursday, 1989 June 15 from 11:00 o'clock a.m. to 4:00 o'clock p.m. including the use of the following equipment.
  - (a) City van to transport tables to and from Y.W.C.A.
  - (b) City Hall chairs
  - (c) Sound System
  - (d) Piano
  - (e) Distribution of flyers through the City Hall building
6. That permission be granted to the Monarchist League of Canada, Hamilton and District Branch to fly the Union Jack from Monday, 1989 May 15 to May 22 on the occasion of the proclamation of Royal Week.
7. That the request of the Department of Culture and Recreation to use the City Hall forecourt on Monday, 1989 March 06 from 9:00 a.m. to 9:30 a.m. for a brief ceremony in connection with the Ontario Winter Games Torch Run, be approved.
8. That permission be granted to the request of the Red Cross Society to fly the Red Cross flag for the month of March in support of the Canadian Red Cross Society.
9. That a one-minute cessation of work be observed by all City Hall employees on Friday, 1989 April 28 at 11:00 o'clock a.m. in recognition of all workers who have been killed, injured or disabled on the job.
10.
  - (a) That the recipient of the second annual Gilda Cino Arts Award be presented with the award at the regular meeting of City Council on Tuesday, 1989 April 25.
  - (b) That the City of Hamilton host a reception for approximately 75 people prior to the award presentation at the meeting of City Council in an appropriate location in City Hall.
  - (c) That the cost for invitations, refreshments and the award be provided within the budget guidelines and charged to Account No. CH53110-84010, the Gilda Cino Arts Award.
  - (d) That staff make the necessary arrangements to carry out the nomination process and award presentation.

- (e) That the Terms of Reference for the Gilda Cino Arts Award adopted by City Council September 1987 be amended by deleting Sections 1, 2, 3 and 4 of the Proposed Presentation Guidelines which provides for an annual fund raising dinner and substituting in lieu thereof the following.

"That the annual Gilda Cino Arts Award be presented at a regular meeting of City Council following a reception hosted by the City of Hamilton be held in City Hall."

- \*11. (a) That the City Solicitor be authorized and directed to prepare a draft by-law to provide for the adoption of a Code of Conduct for the members of City Council for consideration by the Legislation Committee and City Council.
- (b) That the draft legislation incorporate all of the features and aspects of the Code of Conduct By-law for the members of Council of the Regional Municipality of Hamilton-Wentworth with the exception of the spousal references in the section dealing with the Financial Disclosure Statement and further that the section dealing with enforcement be tabled at this time pending receipt of a report from the City Solicitor containing recommendations on enforcement.

12. That the following resolution from the Town of Newmarket, be received.

WHEREAS it is in the best interests of the citizens of a municipality that candidates for municipal council are bona fide candidates;

AND WHEREAS the present requirements for candidates for municipal councils set out in the Municipal Act and the Municipal Elections Act do not specifically contain requirements in respect of bona fides;

AND WHEREAS every person duly qualified to be elected to municipal office should not be denied the opportunity to seek municipal office by reason of financial hardship;

AND WHEREAS candidates for election to the Parliament of Canada are required to post deposits as a condition of their nomination;

AND WHEREAS it is considered appropriate that candidates for municipal council should be required to post a deposit as a condition of nomination;

BE IT THEREFORE RESOLVED as follows:

- (a) That the Municipal Council of the Corporation of the Town of Newmarket supports the principle that candidates for municipal council should post a deposit as a condition of nomination for municipal council.

\* Section 11 tabled.



- (b) The amount of such deposit shall not be so large as to prevent a bona fide candidate for municipal council from placing his/her name in nomination.
- (c) That AMO be requested to consider the appropriateness of imposing a requirement for the posting of a deposit as a condition of nomination for municipal council and to make recommendations in respect of the amount of such deposit and the conditions for its return after a municipal election.
- (d) That other municipalities be requested to consider supporting and endorsing this resolution.
- (e) That the Minister of Municipal Affairs is hereby petitioned, by copy of this resolution, to consider amendments to the Municipal Act and The Municipal Elections Act, as appropriate, to implement this resolution.
- (f) That Premier David Peterson is hereby petitioned, by copy of this resolution, to direct the Minister of Municipal Affairs to place the appropriate amendments to the Municipal Act and to The Municipal Elections Act before the Legislature prior to the next municipal election so as to be in place prior to the next municipal election.

\*\*13. For the information of the members of City Council, the resolution recommending a review of the "Young Offenders Act" which was presented to City Council 1989 January 31 and referred to the Legislation Committee for discussion and action was received by the Legislation Committee at its meeting held 1989 February 20.

14. For the information of the members of City Council, the Legislation Committee at its meeting held 1989 February 20 approved the following citizen appointments to the Status of Women Sub-Committee for a term to expire with the term of City Council.

Elizabeth Kobayashi

Lynda Morris

Thelma McGillivray

Agnes Samson

Mary McKenzie

Catherine Sindall

Deborah Barfknecht

Mary Sullivan

Barbara Chambers

Janice Tomkins

Denise Papaiz

Suzanne Cornforth

Shirley Molat

Elizabeth Avetissian

15. That approval be given to the action of the Legislation Committee in approving the request of the Estonian Society of Hamilton to fly the Estonian Flag at City Hall from 1989 February 20 to 1989 February 27 to commemorate the 71st Anniversary of the Independence of Estonia.

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

John Thompson, Secretary  
1989 February 20

mjlw

\* Section 2 amended to read:

2. That the following recommendations which were referred to the Legislation Committee by the Planning and Development Committee for consideration and action, be approved.
- (a) That City Council petition the Provincial Government to enact legislation to require the location and use of garbage chutes to be on all floors of apartment buildings.
  - (b) That the above petitioning also be forwarded to the Ontario Building Code Committee.

Note: The above matter dealing with the location and use of garbage chutes was lost on a tie vote of the Legislation Committee and in accordance with established policy is now being submitted to City Council for its consideration and disposition.

- (c) That apartment buildings already constructed without garbage chute facilities be exempt from this requirement.
- \*\*13. That the Corporation of the City of Hamilton petition the Federal Government to review the "Young Offenders Act" with a view to making it mandatory for all charged with murder, to be tried in adult court.

## REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its SECOND Report for 1989 and respectfully recommends:

1. That the accounts of Ross & McBride, Barristers & Solicitors for providing litigation services for the City of Hamilton for the following months BE APPROVED:

(a)	Account dated 1988 October 17th to provide services for the month of 1988 September	\$11,234.36
(b)	Account dated 1988 October 31st to provide services for the month of 1988 October	\$17,379.97
(c)	Account dated 1988 November 30th to provide services for the month of 1988 November	\$14,991.22
(d)	Account dated 1988 December 30th to provide services for the month of 1988 December	\$19,877.25

2. That a purchase order be issued to Empire Shirt Mfg. Co. Ltd., Louiseville, Quebec, for the supply and delivery of Fire Department Uniform Shirts as and when required during 1989, with an option in favour of the City to extend for two additional one year periods, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

-	White & Blue Short Sleeve Uniform Shirts Senior/Junior Officers, Male & Female	\$12.86 each
-	White & Blue Long Sleeve Dress Shirts Officers', Male & Female	12.79 "
-	White Short Sleeve Officers' Dress Shirts	11.18 "

Provincial Sales tax extra at 8%

NOTE: Lowest of two (2) tenders received. Funds provided in Uniforms, Clothing and Accessories Accounts CH56104-48001 and 48015.



3. That the Agreement between The Hand Association of Sewer, Watermain and Road Contractors and The Labourer's International Union of North America, Local 837, Hamilton for the period of 1989 January 1 to 1990 December 31, as outlined in the Schedule attached herewith and marked APPENDIX "A", BE APPROVED.
  
4. That the Appointments to and Terminations from Permanent positions with the Corporation of the City of Hamilton to 1989 February 8, as referenced in the Schedule attached herewith and marked APPENDIX "B", BE APPROVED.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN  
PERSONNEL COMMITTEE

Susan K. Reeder  
Secretary  
1989 February 22

Appendix "A" as referred to  
in Section 3 of the SECOND  
Report for 1989 of the  
Personnel Committee.

The Hand Association of Sewer, Watermain & Road Contractors and the Labourer's  
International Union of North America, Local 837, Hamilton

Duration of Agreement - January 1, 1989 to December 31, 1990

Schedule "A"

The rates of wages and classifications for employees engaged in sewer and watermain, road building, paving and parking lot construction and all work incidental thereto, covered by this Agreement during the regular day shift shall be the following:

<u>Classification</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Labourers, including Wire Mesh and Pump Man 3" disc. & under	\$16.38	\$17.43
Skilled Labourers including but limited to Concrete Screedmen, Puddlers and Floatmen Etc.	\$16.53	\$17.58
Concrete Mixer Under 1 Cubic Yard	\$16.53	\$17.58
Dinky Motor Man, Scrootcrete Driver Rammax, Tramper O.P. remote controlled or otherwise	\$16.53	\$17.58
Crawler Type Drillman, Powderman	\$18.73	\$19.78
Rodman Reinforcing Installers	\$16.88	\$17.93
Asphalt Rakers	\$17.38	\$18.43
Catch Basin Constructors	\$17.13	\$18.18
Pipelayers (All Types & Materials)	\$17.38	\$18.43
Form Setters & Cement Finisher and Grademan	\$17.38	\$18.43
Man Hole Valve Chamber Constructors	\$17.43	\$18.53
Curb Setters, Gutter, Brick Setters, Interlock and Stone Paving	\$16.88	\$17.93
Working Foreman	\$18.13	\$19.18
Watchman Six Shifts Per Week, Ten (10) hours per shift	\$500.00 per week	\$530.00 per week
Flagmen	\$13.73	\$14.78

The Hand Association of Sewer, Watermain & Road Contractors and the Labourer's International Union of North America, Local 837, Hamilton

Welfare Fund:

\$1.55 (One Dollar and Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement effective January 9, 1989.

\$1.60 (One Dollar and Sixty Cents) per hour for each hour worked by each employee covered by this Agreement effective January 1, 1990.

Training & Building Fund:

\$0.55 (Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement.

Pension Fund:

\$1.00 (One Dollar) per hour for each hour worked by each employee covered by this Agreement.



SCHEDULE "A1"

This Schedule shall be effective in Area 5 as described by Ontario Labour Relations Board, LESS the Townships of North and South Grimsby in the County of Lincoln and Nanticoke Industrial Park including Stelco and Texaco Properties in the county of Haldimand. The rates of Wages and Classifications for employees engaged in sewer and watermain road building, paving and parking lot construction regular day shift shall be the following:

<u>CLASSIFICATION</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Labourers, including Wire Mesh and Pump Man 3" disc and under	\$14.68	\$15.73
Skill Labourers, including but not limited to concrete Screedmen, Puddlers, and Floatmen etc.	\$14.83	\$15.88
Concrete Mixer under 1 Cubic Yard	\$14.83	\$15.88
Dinky Motor Man, Scootcrete Driver	\$14.83	\$15.88
Rammax, Trumper O.P. Remote Controlled or otherwise	\$14.83	\$17.23
Crawler Type Drillman, Powderman	\$16.18	\$17.23
Rodman Reinforcing Installers	\$15.18	\$16.73
Asphalt Rakers	\$15.68	\$16.48
Catch Basin Constructors	\$15.43	\$16.73
Pipelayers (All types & materials)	\$15.68	\$16.73
Form Setters, Cement Finishers, and Graderman	\$15.68	\$16.73
Man Hole Valve Chamber Constructors	\$15.78	\$16.83
Gutter Brick Setters, Curb Setter	\$15.18	\$16.23
Working Foreman	\$16.43	\$17.48
Watchman Six Shifts per week, Ten (10) hours per shift	\$410.00 per week	\$450.00 per week
Flagmen	\$12.23	\$13.38

SCHEDULE "B"

The Schedule shall be effective in board Area 26 and 5 as described by Ontario Labour Relation Board, including the Nanticoke Industrial Park including Stelco and Texaco Properties in the County of Haldimand. The rates of wages and classification for employees engaged in Bridge Building, including pedestrian bridges, underpasses and overpasses. Retaining walls and abutments associated with bridges, underpasses and overpasses. All structures in connection with dams, docks, wharves and break-waters. Precast rip-rap installations and all slopes retaining work directly associated with bridge construction. Structural work on reservoirs. Pile driving caisson and underpinning. Structures on transit systems (Heavy rail or light rail) and on expressways. Structures involved in river channelization and flood control projects, except structural work traditionally carried out by the roads or sewers industry. Box culverts. Field precast manufacturing operations. Erection, installation and finishing of precast concrete products directly associated with heavy Engineering construction, covered by this Agreement during the regular day shift work hours, shall be the following:

<u>CLASSIFICATION</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Labourers, including Carpenters Helpers, Form Strippers (All Types) including the complete stripping of materials to be reused (wood or otherwise)	\$17.03	\$18.08
Scaffold Erectors (All Types) and Dismantlers	\$17.03	\$18.08
Fence Erectors (Chain Link, Guard Rail Etc.)	\$17.03	\$18.08
Pumpman 3" disc. and under	\$17.03	\$18.08
Rammax - Trumper O.P. Remote controlled or otherwise	\$17.18	\$18.23
Skilled Labourers, including but not limited to Concrete Smoothers, Patchers, Puddlers and Floatmen	\$17.18	\$18.23
Operators of all machine driven tools by gas, electricity and air in open cut work	\$17.18	\$18.23
Powderman, Crawler Type Driller	\$19.03	\$20.08
Crane Signalman	\$17.18	\$18.23
Sheeting & Shoring and Timber-man	\$17.18	\$18.23
Form Setters	\$18.03	\$19.08
Rodman	\$17.78	\$18.83

SCHEDULE "B" CONTINUED

<u>CLASSIFICATION</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Concrete Finishers & Gradenan	\$17.83	\$18.88
Piling Driving (All Types and all Operations Related thereto)	\$17.28	\$18.33
Working Foremen	\$18.78	\$19.83
Watchmen Six Shifts per week, Ten (10) hours per shift	\$500.00 per week	\$530.00 per week
Flagmen	\$13.23	\$14.28

Welfare Fund:

\$1.55 (One Dollar and Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement effective January 9, 1989.

\$1.60 (One Dollar and Sixty Cents) per hour for each hour worked by each employee covered by this Agreement effective January 1, 1990.

Training & Building Fund:

\$0.55 (Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement.

Pension Fund:

\$1.00 (One Dollar) per hour for each hour worked by each employee covered by this Agreement.



SCHEDULE "C"

The rates of wages and classifications for employees engaged in mining and tunnelling operations, covered by this Agreement during the regular day shift work hours, shall be the following:

<u>CLASSIFICATIONS</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Labourers	\$17.38	\$18.43
Underground Labourers	\$17.68	\$18.73
Reinforced Concrete Workers	\$17.68	\$18.73
Smoothers, Puddlers, Screedman, Floatmen, Form Setters, Pipelayers, (All Types & Materials)	\$17.68	\$18.73
Concrete Leader	\$17.93	\$18.98
Concrete Mixer Man (1 Cubic Yard & Under)	\$17.68	\$18.73
Pumpman (3" Disc. & Under)	\$17.38	\$18.43
Scootcrete, Farmtractor & Locomotive Drivers	\$17.68	\$18.73
Pit Bottom Man, Deck Man & Signal Man .	\$17.38	\$18.43
File Driving all types & All operations related thereto	\$18.03	\$19.08
Miners, Drillers, Mucking Machine and Slusher	\$18.18	\$19.23
Muckers and Miners Helpers Conveyor Belt Attendant	\$17.68	\$18.73
Shield Drivers and Mole Drivers	\$18.43	\$19.48
Lead Miner	\$18.43	\$19.48
Powderman	\$18.48	\$19.53
Fence Erectors	\$18.38	\$19.43
Grout Machine Man and Welder	\$18.18	\$19.23
Diamond Driller, Drill Docker and Steel Sharpener	\$18.18	\$19.23

SCHEDULE "C" CONTINUED

<u>CLASSIFICATIONS</u>	<u>Jan. 1/89</u>	<u>Jan. 1/90</u>
Scooptran Driver, Cage Tender and Trackman	\$17.68	\$18.73
Pressweld and concrete Pumpman	\$17.68	\$18.73
Working Foreman	\$17.98	\$19.03
Watchman and Dryman	\$16.58	\$17.63

PREMIUM RATES AND COMPRESSED AIR

The following sliding scale of premium rates apply to workers in compressed air. These rates are non-cumulative.

<u>AIR PRESSURE</u>	<u>PREMIUM PER SHIFT</u>
1 lb. to 14 lbs.	\$10.90
15 lbs. to 20 lbs.	\$12.70

Welfare Fund: \$1.55 (One Dollar and Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement effective January 9, 1989.

\$1.60 (One Dollar and Sixty Cents) per hour for each hour worked by each employee covered by this Agreement effective January 1, 1990.

Training & Building Fund: \$0.55 (Fifty-Five Cents) per hour for each hour worked by each employee covered by this Agreement.

Pension Fund: \$1.00 (One Dollar) per hour for each hour worked by each employee covered by this Agreement.

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Lynda E. Ames	Office Manager III (0)	Property Maintenance (division of Property)	replacing Ms. M. Long - retired	\$27,218.68 to \$32,060.60	\$27,218.68 per annum (1 of 5)	Feb. 16, 1989
Mr. Frank Biancucci	Fire Safety Officer (C-7A)	Fire	replacing Mr. D. Williams - promoted	\$44,429.54	\$44,429.54 per annum	Jan. 16, 1989
Mr. Fred Calcagni	Programmer I (A-17)	Information Systems	approved Nov. 1, 1988	\$707.82 to \$845.62	\$707.82 per week (1 of 5)	Jan. 09, 1989
Ms. Lorraine Campbell	Stenographer III (E-3)	Property Maintenance (division of Property)	replacing Ms. L. Ames - promoted	\$361.95 to \$391.04	\$375.12 per week (2 of 3)	Jan. 09, 1989
Ms. Linda J. Cooper	Receptionist Clerk III (E-4)	Treasury	replacing Ms. D. Marsh - promoted	\$397.31 to \$425.83	\$397.31 per week (1 of 3)	Jan. 23, 1989
Ms. Maryann Cuthbert	Stenographer I (E-5)	City Clerk's	replacing Ms. D. McGuire - promoted	\$406.87 to \$457.46	\$406.87 per week (1 of 4)	Jan. 09, 1989
Mr. James Davis	Utilities Maintenance/ Operator (M-15)	Central Utilities Plant (division of H.E.C.F.I.)	replacing Mr. C. Ruschinski - promoted	\$14,637	\$14,637 per hour (1 of 1)	Jan. 09, 1989

Prepared 08 February 1989



02/28/89

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Ralph Denardis	Programmer I (A-17)	Information Systems	approved Nov. 1, 1988	\$707.82 to \$845.62	\$765.61 per week (3 of 5)	Jan. 09, 1989
Ms. Sandra Hutcheon	Taxation Clerk IV (E-4)	Treasury	replacing Ms. H. Fotheringham - retired	\$397.31 to \$425.83	\$410.00 per week (2 of 3)	Jan. 23, 1989
Mr. William G. Johnson	Yard Attendant (D-11)	Public Works	replacing Mr. A. Glanville - resigned	\$12.391 to \$12.591	\$12.391 per hour (1 of 2)	Jan. 30, 1989
Ms. Mary Mackay	Switchboard Operator (A-3)	City Clerk's	replacing Ms. L. Parlee - resigned	\$394.30 to \$447.93	\$394.30 per week (1 of 4)	Jan. 16, 1989
Ms. Mary Markham	Supervisor Gift Shop (Dundurn Castle) (R-1)	Culture & Recreation	replacing Ms. D. Illes - resigned	\$8.694	\$8.694 per hour (1 of 1)	Jan. 02, 1989
Ms. Silena McEwen	Booking Co-ordinator/ Secretary (S)	Convention Centre (division of H.E.C.F.I.)	replacing Ms. M. Mogford - resigned	\$20,105.80	\$20,105.80 per annum	Jan. 16, 1989
Mr. Ronald McImrie	Small Equipment Repairman/Woman/ Attendant (D-12)	Public Works	additional staff approved by City Council June 28, 1988	\$12.978 to \$13.178	\$13.178 per hour (2 of 2)	Jan. 02, 1989

Prepared 08 February 1989

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCALE/STAGE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Audrey O'Sullivan	Receptionist-Secretary (5)	Convention Centre (division of H.E.C.F.I.)	replacing Ms. S. McEwen - promoted	\$17,171.44	\$17,171.44 per annum	Feb. 06, 1989
Ms. Linda Ratke	Typist Clerk II (E-2)	Treasury	replacing Ms. L. Juchniewicz - promoted	\$339.51 to \$365.75	\$339.51 per week (1 of 3)	Feb. 06, 1989
Mr. Nick Roundis	Preventive Maintenance Co-ordinator (M)	Property Maintenance (division of Property)	replacing Mr. F. Eckemuth - retired	\$30,321.72 to \$35,755.72	\$30,321.72 per annum (1 of 5)	Jan. 05, 1989
Mr. Brian Schweitzer	Lieutenant (C-7)	Fire	replacing Mr. G. Desjarlais - promoted	\$44,429.54	\$44,429.54 per annum	Jan. 22, 1989
Mr. Robert Shaw	Lieutenant (C-7)	Fire	replacing Mr. D. Hildrop - retired	\$44,429.54	\$44,429.54 per annum	Jan. 22, 1989
Mr. Ronald Thornberry	Programmer I (A-17)	Information Systems	approved Nov. 1, 1988	\$707.82 to \$845.62	\$765.61 per week (3 of 5)	Jan. 09, 1989
Ms. Janice L. Tomkins	Accident Report Clerk (E-4)	Traffic	replacing Ms. J. Berestecki - promoted	\$397.31 to \$428.83	\$410.00 per week (2 of 3)	Jan. 09, 1989
Mr. John Verbeek	Fire Safety Officer (C-7A)	Fire	replacing Mr. R. E. Gay - retired	\$44,429.54	\$44,429.54 per annum	Jan. 16, 1989

Prepared 08 February 1989

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Bernardo Agro	Inspector	Building	Resigned	4 years	February 03, 1989
Mr. G. Bolger	Caretaker	Property Maintenance (division of Property)	Terminated	9 years, 7 months	January 03, 1989
Ms. Helen Fotheringham	Taxation Clerk IV	Treasury	Retired	27 years, 2 months	January 31, 1989
Mr. Alfredo Glanotti	Yard Attendant	Public Works	Resigned	10 months	December 19, 1988
Mr. Nick Hryhoriw	Handyman	Central Utilities Plant (division of H.E.C.F.I.)	Retired	9 years, 3 months	January 31, 1989
Mr. Gord Kudlowich	Motor Mechanic	Central Garage (division of Public Works)	Resigned	2 years, 2 months	February 03, 1989
Ms. Mona Long	Office Manager	Property Maintenance (division of Property)	Retired	29 years, 2 months	February 01, 1989
Mr. William Nagy	Foreman II (Cleaning Operations)	Public Works	Retired	21 years, 8 months	January 31, 1989
Ms. Janice Tomkins	Accident Report Clerk	Traffic	Resigned	14 years, 2 months	January 20, 1989

Prepared 08 February 1989



## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. That a purchase order be issued to Buntin Gillies, Hamilton in the amount of \$76 954.27 for the supply and delivery of fine paper as and when required to various locations during 1989, in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in various accounts.

2. That a purchase order be issued to Union Gas Limited, Hamilton, in the amount of \$22 945 plus Provincial sales tax, for the emergency boiler repair at Jimmy Thompson Pool.

Note: Only supplier available. Funds provided in 1988 Energy Conservation Account No. CF5200-318841043.

As this is an emergency boiler replacement, the above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, which states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

3. That a purchase order be issued to Sheridan Equipment Ltd., Toronto, in the amount of \$56 403 for the replacement of one (1) Integral Tractor Loader No. 9532 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of four (4) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

4. That a purchase order be issued to Pierre Thibault Trucks Inc., Quebec, the amount of \$252 200 plus applicable taxes, for the replacement of one (1) 5,000 L/Min Class "A" Triple combination Pumper, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Only tender received. Funds provided in Reserve for Mobile Equipment Account No. RF55002-25201.

5. That purchase orders be issued for the replacement of twenty-six (26) Vehicles Nos. 1321/25/29/33/37/38/56/60/66/76/86/87/89/91/92/93/96/97, 1407/8/16/17/20/27/28/30 City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendors' tenders, as follows:

<u>Bay King Motors, Hamilton</u>	seventeen (17) vehicles	\$156 671.59
<u>Mohawk Ford Sales, Hamilton</u>	eight (8) vehicles	74 364.64
<u>George Leng Motors, Grimsby</u>	one (1) vehicle	9 180.68

Note: Lowest of seven (7) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55001-25201.

6. That a purchase order be issued to George Leng Motors, Grimsby, in the amount of \$20 234.08, for the replacement of two (2) Vehicles Nos. 1668/9, Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of nine (9) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55002-25201.

7. That a purchase order be issued to Robert Slessor Pontiac, Grimsby, in the amount of \$20 073.19, for the replacement of one (1) Commercial Dual Purpose Vehicle No. 1665, Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55002-25201.

8. That a purchase order be issued to Battlefield Equipment Rentals Inc., Stoney Creek, in the amount of \$24 248.16, for the replacement of two (2) Silenced Portable Air compressors Nos. 9803/5, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of five (5) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

9. That a purchase order be issued to V-Quip, Burlington, in the amount of \$46 328.76, for the replacement of one (1) Steel Drum Vibratory Roller No. 9690 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

10. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$96 150.92, for the replacement of one (1) 12 Cu.Yd. Heavy Duty Snow Plow and Sanding Truck No. 9608, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

11. That a purchase order be issued to Carter GM Trucks, Hamilton, in the amount of \$91 686.61, for the replacement of seven (7) Vehicles Nos. 1315, 1330, 1331, 1334, 1380, 1384, 1394 City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of eight (8) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55001-25201.

12. That a purchase order be issued to Carter GM Trucks, Hamilton, in the amount of \$41 993.43, for the replacement of three (3) 5 Passenger Window Vans Nos. 1377, 1382 and 1404, City Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of eight (8) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55001-25201.

13. That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington, in the amount of \$57 553.20 for the replacement of four (4) Turf Truckers Nos. 9470, 9490, 9496, 9486 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Only tender received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.



14. That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington, in the amount of \$14 580, for the replacement of one (1) Ryan Aerator No. 9855, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Only tender received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

15. That a purchase order be issued to Marsh Bros. Tractors Inc., Copetown, in the amount of \$11 500.92, for the replacement of one (1) Cushman Riding Mower No. 9860, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of four (4) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

16. That a purchase order be issued to Turf Care, Markham, in the amount of \$98 280 for the replacement of two (2) Golf Course Tractors with mowers No. 9476, 9489 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

17. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$293 758.40, for the replacement of four (4) 34,000 GVW Chassis with high density Garbage Packers Nos. 9110, 9124, 9145, 9144, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of five (5) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55004-25201.

18. That a purchase order be issued to Altruck Transportation Services, Hamilton, in the amount of \$639 605.20, for the replacement of seven (7) 52,000 GVW Chassis with high density Garbage Packers Nos. 9102/3/4/32/33/35/36/37, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of five (5) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55004-25201.

19. That a purchase order be issued to Holland Chev Olds., Burlington, in the amount of \$14 837.36, for the replacement of one (1) Full Size Vehicle No. 1674; Hamilton Fire Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55002-25201.

20. That a purchase order be issued to Ontario Turf Equipment Co. Ltd., London, in the amount of \$42 252.84, for the replacement of three (3) Toro Greensmasters No. 9935, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

21. That a purchase order be issued to V-Quip Inc., Burlington, in the amount of \$36 723.05, for the replacement of seven (7) Golf Course Utility Vehicles Nos. 9056, 9809/10/12/13/14/16 Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

22. That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington, in the amount of \$58 870.80 for the replacement of four (4) Turf Trucksters Nos. 9452/82/3/4, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

23. That a purchase order be issued to Ontario Turf Equipment Co. Ltd., London, in the amount of \$60 456.24 for the replacement of thirteen (13) Jacobsen Greensmowers No. 9852, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

Note: Lowest acceptable of two (2) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

24. That a purchase order be issued to G. C. Duke Equipment Ltd., Burlington, in the amount of \$38 880, for the replacement of four (4) National Triplex Mowers Nos. 9822/60, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

**Note:** Lowest acceptable of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

25. That the refund of the \$2 600 deposit and other costs incurred by Joseph and Gino Tittarelli, as approved by City Council 1989 January 31, be charged to the Reserve for Property Purchases, Account No. RF 53003 25202.

**Note:** Due to the rescinding of the sale of Old Nash Road between Brampton and Nash Road, the applicants will have their deposit of \$2 600 returned, plus their application fee of \$208 and "all reasonable survey and legal costs incurred by them with respect to the closure application" (to be determined).

26. That the estimated cost of \$3 442 to assign a school crossing guard for a six month trial period at the intersection of King Street West and Strathcona Avenue, as approved by City Council 1989 January 31, be funded from the existing School Crossing Guard Budget, on an overdraft basis if necessary.

27. That, pursuant to the requirements of The Municipal Act, the statement of the Treasurer attached hereto as APPENDIX "A" summarizing remuneration and expenses paid to members of Council and members of Other Bodies for the year 1988, be approved.

28. That only those General Grant applications submitted by 1989 March 10, will be considered for possible funding in order to fairly allocate the 1989 Grants Budget.

**Note:** At its meeting of 1989 February 21, the Finance Committee received an overview of the 1989 Grants from the Grants Review Group. The report disclosed that there is a shortfall of funds in the amount of \$202 960 between the requested General Grants and the proposed budget which has been frozen at \$947 000. The Finance Committee concurs with the Grants Review Group that a deadline should be established so that all the General Grant requests are known when considering the final Grant decisions for 1989. The March 10th date will provide sufficient time for the Grants Review Group to prepare the recommendations on Grants for the March 21st meeting of the Finance Committee.



29. That the following procedures be implemented relative to Convention/Reception Grants:
- (a) That an application be considered by the Grants Review Group to ensure that the eligibility requirements are consistent with the policy.
  - (b) That the funding formula (\$4 per participant to a maximum of \$1 500) be applied to the request and the applicant be advised of this grant amount;
  - (c) That if the applicant feels that this grant amount is insufficient for their event and wishes to appeal this decision, then the appeal will be heard by the Finance Committee;
  - (d) That if the applicant agrees to this amount, payment of the grant will be made upon receipt of a completed standard report which will summarize the event after the event has concluded;
  - (e) That the Finance Committee be forwarded timely information reports summarizing the Convention/Reception Grants issued in this fashion.

**Note:** This procedure will expedite the processing of Convention/Reception grant requests. The principle of this procedure is similar to that used for processing Settlement of Claims.

30. That the Summary Report attached hereto as **APPENDIX "B"** containing a listing and amounts of approved Settlement of Claims, be received in accordance with established policy.
31. (a) That a grant in the amount of \$1 760 be made to the Hamilton Corporate Challenge c/o Melissa Gould and Gil Mazzetti, Team Captains for the sponsorship of two teams of civic employees to participate in the annual Hamilton Corporate Challenge to be held Sunday, 1989 June 11 at McMaster University.
- (b) That this expenditure be financed from Account No. CH55120-24201, Unclassified.

32. WHEREAS the Ministry of Municipal Affairs provides unconditional grants to municipalities to operate local programs and services;

AND WHEREAS The Honourable John Eakins, Minister of Municipal Affairs announced 1988 December 12 that the total amount of money available to each municipality under the Ontario Unconditional Grants Program remains the same as in 1988;

AND WHEREAS municipalities may have to increase property taxes and user fees to finance basic municipal services;

BE IT THEREFORE RESOLVED that the Minister of Municipal Affairs be advised that the Council of the City of Hamilton strongly objects to the freezing of the Unconditional Grants to the same level as 1988.

Note: With the adoption of Section 7 of the THIRD Report of the Co-ordinating Committee, City Council requested that the Finance Committee consider the formulation of a resolution for consideration by City Council to petition the appropriate Provincial Minister to review the Unconditional Grant funding to municipalities.

Respectfully Submitted,

ALDERMAN W. M. McCULLOCH, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1989 February 21

mjlw

City of Hamilton  
TreasuryAPPENDIX "A" as referred  
to in Section 27 of the  
FIFTH Report of the  
Finance Committee

## STATEMENT OF THE TREASURER

REMUNERATION AND EXPENSES PAID TO MEMBERS OF COUNCIL  
AND MEMBERS OF OTHER COMMITTEES AND BOARDS FOR THE YEAR 1988.

(Prepared pursuant to By-Law 79-60 Approved by Council January 29th, 1979, By-Law 79-300 Approved by Council Oct.30th, 1979 and Section 243 of the Municipal Act, R.S.O. 1980, Chapter 302).

## 1. REMUNERATION

(a) Members of Council	Salary
Agostino, D.	17,824.95
Agro, V. J.	17,824.95
Christopherson, D. H.	14,428.04
Cooke, T. J.	14,428.04
Copps, G. F.	12,983.98
Cowell, P. R.	16,481.27
Drury, D.	1,343.68
Gallagher, J.	17,824.95
Hinkley, B. K.	17,824.95
Jackson, T.	1,343.68
Kiss, M. A.	17,824.95
Lombardo, F.	1,343.68
McCulloch, W. M.	17,824.95
Merling, H.	17,824.95
Morrow, R. M.	55,302.04
Murray, T.	17,824.95
Ross, D.	17,824.95
Smith, J. R.	17,824.95
Valeriano, P.	16,481.27
Wheeler, R.	13,084.36
	<u>325,469.54</u>

\* One-third of these amounts deemed to be "Expenses" in accordance with section 251 of the Municipal Act.

## (b) Committee of Adjustment

Member	Honorarium
Lombardo, F.	2,100.00
Rocchi, F.	2,600.00
Skofac, M.	2,100.00
Woods, L. G.	2,100.00
Young, C.	2,100.00
	<u>11,000.00</u>

## (c) Licence Examining Board

Member	Honorarium
Allick, B.	620.00
Allison, H.	310.00
Bradshaw, R.	620.00
Gibson, D.	310.00
Groves, L.	310.00
Hewitt, C.	620.00
Holm, M.	310.00
Hooker, G.	310.00
Korz, G.	620.00
Langdon, D.	620.00
Macintyre, D.	310.00
Macleod, D.	620.00
McGurk, A.	310.00
Peacock, H.	620.00
Sanders, E.	620.00
Skinner, J.	310.00
Taffs, R.	310.00
Walker, J.	620.00
	<u>8,370.00</u>



EXPENSES

(Residence telephone allowance, travelling - registration fee,  
per diem, accommodation, etc., plus local grant to Mayor.)

(a) Members of Council

Agostino, D.	4,254.44
Agro, V. J.	138.27
Christopherson, D. H.	1,019.73
Cooke, T. J.	138.27
Cowell, P. R.	126.71
Drury, D.	11.56
Gallagher, J.	138.27
Hinkley, B. K.	3,896.01
Jackson, T.	11.56
Kiss, M. A.	138.27
Lombardo, F.	11.56
McCulloch, W. M.	5,475.12
Merling, H.	1,101.89
Morrow, R. M.	14,458.98
Murray, T.	2,481.37
Ross, D.	138.27
Smith, J. R.	1,121.89
Valeriano, P.	1,562.51
Wheeler, R.	126.71
	<u>36,351.39</u>

(b) Parking Authority Appointees

Alderman Agro, V. J.	1,456.49
Adamson, T.	2,989.73
	<u>4,446.22</u>

(c) Public Library Appointees

Meiklejohn, A.	335.58
Rogers, P.	603.60
	<u>939.18</u>

02/28/89

APPENDIX "B" as referred  
to in Section 30 of the  
FIFTH Report of the  
Finance Committee

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Likavec	City of Hamilton	Slip and Fall 1987 November 05	\$5 750.
Ms. Walsh	City of Hamilton, Regional Municipality of Hamilton-Wentworth, Scotiabank and Can-Am Bancorp	Trip and Fall 1986 February 25	\$9 298.18
Marjorie Walsh	City of Hamilton and Town Manor	Slip and Fall 1986 February 14	\$2 153.65

## REPORT OF THE INFORMATION SYSTEMS COMMITTEE

The Information Systems Committee met at 9:30 o'clock a.m. on Thursday, 1989 February 23 in the Committee Room, 15th Floor, Regional Offices.

**Present:** Chairman (Councillor) J. Gallagher  
 Councillor S. Napper  
 Councillor M. Kiss  
 Councillor G. Copps  
 Councillor A. Sloat

**Members of Council:**

The Information Systems Committee presents Report 2-89.

1. CITY OF HAMILTON CAPITAL PROJECT -  
DATABASE AND 4TH GENERATION LANGUAGE PROJECT  
SELECTION OF VENDORS

Your Committee recommends:

- (a) That the required software for the Database, 4th Generation Language and related software be in accordance with the following (i)

<u>Description</u>	<u>Product Name</u>	<u>Vendor</u>	<u>Upset Limit (ii)</u>
Database	DB2	IBM Canada Ltd. (Hamilton)	\$232 000
4th GL (iii)	Focus	Information Builders Inc. (Toronto)	\$168 000
CASE Tool (iv)	Excelerator	Index Technologies Inc. (Toronto)	\$156 000
			<u>\$556 000</u>

- Notes:** (i) This package represents the lowest cost of the three alternatives subject to final evaluation.  
 (ii) Includes adjustments for current pricing.  
 (iii) GL - Generation Language  
 (iv) CASE - Computer Aided Software Engineering

- (b) That the acquisition costs for the Database, 4th Generation Language and related software be funded from Works in Progress Account Numbers CF 5010-25865-1002, CF 5010-2587-51002 and CF 5010-2588-51003.
- (c) That the vendor purchase agreements be in a form satisfactory to the City Solicitor.



- (d) That staff development, training (including expenses) and installation support for the Database, 4th Generation Language and related software (\$139 600) be funded from Works in progress Account Nos. CF 5010-2586-51002, CF 5010-2587-51002 and CF 5010-2588-51003.

2. 1989 CURRENT BUDGET

Your Committee recommends:

That the 1989 Information Systems Current Budget for the Region be approved at the Maintenance Level and forwarded to the Committee of the Whole for inclusion in the overall 1989 Current Budget.

Agenda Item #4

Respectfully Submitted,

J. Gallagher, Chairman

John Thompson, Secretary  
1989 February 23

\*\*\*\*\*

FOR THE INFORMATION OF COUNCIL

(a) MINUTES

The minutes of the meeting of the Information Systems Committee held 1989 January 26 were received and adopted as corrected.

Agenda Item #1

REPORT OF THE NOMINATING COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Nominating Committee presents its  
FIFTH Report for the year 1989 and respectfully recommends:

1. Approval of the appointment of the following to the  
Court of Revision:

Mr. Malcolm C. Cline

Ms. Anne Kuszczak

Term of office expires November 30, 1991.

Respectfully submitted,

February 28, 1989.

MAYOR R. M. MORROW,  
CHAIRMAN.

MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, MARCH 14, 1989  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor.

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Lombardo, Smith, Jackson, Merling,  
Gallagher, Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

The Reverend Gerald Morgan, People's Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow read the following proclamations:

- (i) "INTERNATIONAL FOOD SERVICES WEEK" - March 26th to April 2nd, 1989.
- (ii) "DAKOTA (DC-3) FLIGHT INTO HISTORY DAY" - March 19th, 1989.
- (iii) "INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION" -  
March 21st, 1989.

His Worship Mayor Robert M. Morrow presented Certificates of Recognition to former members of the following organizations:

- (i) Committee of Adjustment
- (ii) Hamilton Status of Women Sub-Committee
- (iii) Keep Hamilton Clean Citizens' Committee
- (iv) Land Division Committee
- (v) Public Library Board
- (vi) Task Force on Student Housing
- (vii) Task Force to Review the Mandate and Structure of the  
Hamilton Harbour Commissioners

The minutes of the meeting of February 28, 1989, were taken as read and approved.

\* \* \* \* \*



The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from Mr. G. T. Dilar, 1158 Upper Wentworth Street, Hamilton, Ontario, for a change in zoning, property located at 1158 Upper Wentworth Street, dated February 14, 1989.
2. Application from Mr. Giovanni Fortino, In Trust, c/o Mario A. Bartolini, Bartolini, Berlingieri, Barristers & Solicitors, 678 Main Street East, Suite 201, Hamilton, Ontario, for a change in zoning, property located at 1508 Upper James Street, dated February 27, 1989.
3. Application from Mory Dimillo, 120 San Antonio Drive, Unit 7, Hamilton, Ontario, for a change in zoning, property located at 35 Rymal Road West, dated February 27, 1989.
4. Application from Giovanni Fortino, Umberto Spagnuolo, Stanislao Filice, Mario Presta, Oresta Presta, Franco Carobelli, Antonio Scornaienchi and Luciano Scornaienchi, c/o Mario A. Bartonlini, Messrs. Bartolini, Berlingieri, Barristers & Solicitors, 678 Main Street East, Suite 201, Hamilton, Ontario, for a change in zoning, properties located at 1514-1530 Upper James Street, dated February 27, 1989.
5. Application from Barbara Pinto, M.D., 20 Golfdale Place, Ancaster, Ontario, for a modification to the zoning, property located at 836 Upper Wentworth Street, dated February 27, 1989.
6. Application from Linda MacKenzie, 149 Folkestone Avenue, Hamilton, Ontario, for a modification to the zoning, property located at 10 Hempstead Drive, dated March 2, 1989.
7. Application from Ashok Kumar, 81 Christie Street, Hamilton, Ontario, for a change in zoning, property located at 41 Rymal Road West, dated March 2, 1989.
8. Application from James Zaborsky, 191 Annabelle Place, Hamilton, Ontario, for a change in zoning, property located on the east side of Annabelle Street, north of Stone Church Road West, dated March 2, 1989.
9. Application from Agommen Ltd., In Trust, Agostino Ammendolia, Ammendolia Real Estate Limited, 86 Forest Avenue, Hamilton, Ontario, for a change in zoning, property located at 266 Limeridge Road, dated March 2, 1989.
10. Application from Maria and Labros Spandomms, 20 Afton Avenue, Hamilton, Ontario, for a modification to the zoning, property located at 21 Lottridge Street, dated March 2, 1989.
11. Application from Canadian National Institute for the Blind, 1686 Main Street West, Hamilton, Ontario, for a further modification to the zoning, property located east and adjacent to 1686 Main Street West, dated March 7, 1989.

12. Letter from Mr. E. A. Simpson, City Clerk, advising objection received to By-law Number 69-49, dated March 9, 1989. NO ACTION TAKEN.

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Murray in the chair.

\*\*\*\*\*

(A) CO-ORDINATING COMMITTEE - SIXTH REPORT.

\*\*\*\*\*

It was moved by Alderman Ross and seconded by Alderman Christopherson.

RESOLVED: that Rule 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to consider a resolution regarding contracting the Homes Now program to private sector firms. - CARRIED.

\*\*\*\*\*

It was moved by Alderman Ross and seconded by Alderman Christopherson.

RESOLVED: That the administration and review of the Homes Now program not be contracted to private sector firms.

That the Regional Housing Program Officer continue to be responsible for the administration and review function required for the delivery of the program.

That all efforts be made to streamline the review process. - CARRIED.

\*\*\*\*\*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SIXTH REPORT.

Recorded vote on Section 4.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16.

NAYS: Alderman Copps. - 1. CARRIED.

\*\*\*\*\*

The recommendation of the Co-Ordinating Committee on Section 7 was carried.

\*\*\*\*\*

Recorded vote on Section 21.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Gallagher, Murray. - 14.

NAYS: Aldermen Lombardo, Merling, Ross. - 3. CARRIED.

\*\*\*\*\*

(C) PARKS AND RECREATION COMMITTEE - SEVENTH REPORT.

Recorded vote on Section 1.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Jackson, Gallagher, Ross, Murray. - 13.

NAYS: Aldermen Kiss, Copps, Smith, Merling. - 4. CARRIED.

\*\*\*\*\*

Recorded vote on Section 5.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Merling, Gallagher, Ross, Murray. - 14.

NAYS: Aldermen Kiss, Smith, Jackson. - 3. CARRIED.

\*\*\*\*\*

Recorded vote on Section 6.

YEAS: Mayor Morrow; Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Merling, Gallagher, Ross, Murray. - 14.

NAYS: Aldermen Kiss, Smith, Jackson. - 3. CARRIED.

\*\*\*\*\*

(D) PLANNING AND DEVELOPMENT COMMITTEE - SEVENTH REPORT.

It was moved by Alderman Smith and seconded by Alderman McCulloch.

RESOLVED: that Section 11 be referred back. - CARRIED.

\*\*\*\*\*



(E) LEGISLATION COMMITTEE - FIFTH REPORT.

\* \* \* \* \*

It was moved by Alderman Hinkley and seconded by Alderman Jackson.

RESOLVED: that Rule 36a(1)(c) of Procedural By-law 82-203 be suspended for this meeting of City Council in order that Council may consider the THIRD Report of the Personnel Committee. - CARRIED.

\* \* \* \* \*

(F) PERSONNEL COMMITTEE - THIRD REPORT.

Recorded vote on the Third Report.

YEAS: Aldermen Cooke, Kiss, Hinkley, Copps, Christopherson, Smith, Jackson, Merling, Murray. - 9.

NAYS: Mayor Morrow; Aldermen Agro, McCulloch, Drury, Agostino, Lombardo, Gallagher, Ross. - 8. CARRIED.

\* \* \* \* \*

(G) FINANCE COMMITTEE - SIXTH REPORT.

\* \* \* \* \*

It was moved by Alderman Drury and seconded by Alderman Christopherson.

RESOLVED: that Section 15 of the THIRD Report of the Finance Committee, adopted by City Council on January 31, 1989, reading as follows:

"15. That the user fee for the purchase of an annual bus pass for senior citizens (age 70 and over) be increased from \$28.75 to \$30.00 annually (from \$2.40 to \$2.50 per month), effective for the renewal of annual bus passes valid from April 1, 1989 to March 31, 1989.

NOTE: The 1989-1990 annual bus pass will be available only to those seniors who were in receipt of a pass which expired March 31, 1989. -

be reconsidered. - CARRIED.

\* \* \* \* \*

It was moved by Alderman Drury and seconded by Alderman Christopherson.

RESOLVED: that Section 15 of the THIRD Report of the Finance Committee, adopted by City Council on January 31, 1989, be amended by deleting from the note the words "were in receipt of a pass which expired March 31, 1989", and inserting in lieu thereof "turn 70 years of age on or before March 31, 1989", so that the note reads:

"NOTE: The 1989-1990 annual bus pass will be available only to those seniors who turn 70 years of age on or before March 31, 1989." - CARRIED.

\* \* \* \* \*

It was moved by Alderman Drury and seconded by Alderman Christopherson.

RESOLVED: that Section 15 of the THIRD Report of the Finance Committee be now adopted, as amended. - CARRIED.

\* \* \* \* \*

(H) REPORT OF HIS WORSHIP MAYOR R. M. MORROW - FIRST REPORT.

\* \* \* \* \*

(N) NOMINATING COMMITTEE - SIXTH REPORT.

\* \* \* \* \*

#### NOTICE OF MOTION

It was moved by Alderman Smith and seconded by Alderman Jackson.

RESOLVED: that approval for international travel guidelines be as follows:

1. approval for travel will be granted by Council on recommendation from the appropriate Committee.
2. before making a recommendation to Council the Committee will receive a report setting out:
  - the project cost
  - source of funding
  - purpose of trip and relevance to economic and cultural goals of the City of Hamilton
  - expected outcome
  - names and business interests of all persons accompanying the Council Member(s), and
  - manner and reason for their selection

3. That Council Member(s) making business trips, when accompanied by private sector people, will give due consideration to the propriety of the presence of such people at business meetings with prospective clients, depending upon the subject matter to be discussed.
4. That, in each instance of travel, consideration be given to the advisability of a staff member accompanying the Member(s) of Council.
5. That, upon return, the Member(s) of Council submit a report on the accomplishments achieved on a trip, follow-up to be undertaken and a statement of expenditures. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Ross. - 13.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the report of the Committee of the Whole on the above reports, as amended, and resolutions, be adopted. -

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 17.

NAYS: 0 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke and seconded by Alderman Kiss.

RESOLVED: that the following Bills be now read a first time.

A-10,  
B-40, B-41,  
D-33, D-34, D-35, D-36 - CARRIED.

\* \* \* \* \*

It was moved by Alderman Cooke, seconded by Alderman Kiss, and carried, that Council move into Committee of the Whole (second reading) to consider the following Bills, with Alderman Murray in the chair.

A-10,  
B-40, B-41,  
D-33, D-34, D-35, D-36.

\* \* \* \* \*



Consideration of the Bills (second reading).

\* \* \* \* \*

It was moved by Alderman Cooke and seconded bh Alderman Kiss.

RESOLVED: that the following Bills be now read a third time.

A-10,  
B-40, B-41,  
D-33, D-34, D-35, D-36.

YEAS: Mayor Morrow; Aldermen Cooke, Kiss, Agro, Hinkley, Drury, Copps,  
Christopherson, Agostino, Smith, Jackson, Ross. - 12.

NAYS: 0 - CARRIED.

\* \* \* \* \*

City Council adjourned at 9.54 o'clock, p.m.

\* \* \* \* \*

REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its SIXTH Report for 1989 and respectfully recommends:

1. (a) That an Option to Purchase the property known as 11 East Avenue North, duly executed by John H. Whyte on February 27, 1989 and scheduled for closing on or before May 25, 1989 be approved and completed.

NOTE: The subject property has a frontage along the westerly limit of East Avenue North of 34.5 feet (10.5 metres) by a depth of 84 feet (25.6 metres) and is legally described as Lot 6 and part of Lot 7, Registered Plan 233. The purchase price of \$96 000 (including legal fees of \$1 000) is to be charged to Account No. RF 53003 25302.

- (b) That an Option to Purchase the property known as 13 East Avenue North, duly executed by D. Warring, President of D. A. Warring & Sons Foods Ltd. on March 3, 1989 and scheduled for closing on or before May 25, 1989 be approved and completed.

NOTE: The subject property has a frontage along the westerly limit of East Avenue North of 28.062 feet (8.55 metres) by a depth of 123 feet (37.49 metres) and is legally described as part of Lot 162, Registered Plan 223. The purchase price of \$24 750 (including legal fees of \$750) is to be charged to Account No. RF 53003 25302. Consideration in the amount of \$1.00 has been paid to the owners, and pursuant to the Agreement, forms part of the purchase price.

- (c) That the City Solicitor be authorized and directed to prepare a lease in favour of D. A. Warring & Sons Foods Ltd. for use of the land and premises located at 11 and 13 East Avenue North. The monthly rental is to be \$1 000 including realty taxes, and the duration of the tenancy is not to extend beyond December 14, 1989.

- (d) That the appropriate City Officials execute all required documents.

NOTE: These Offers are conditional upon the following conditions being met before closing.

It is understood and agreed that the closing of this transaction is conditional upon the Vendor obtaining and providing to the City, in a form satisfactory to the City, a Surrender of a lease dated November 1, 1987, entered into between the Vendor, as Lessor and D. A. Warring & Sons Foods Ltd., as Lessee. Such Surrender shall be registered on title to the property by the Vendor, if it is required by the Purchaser.

It is further understood and agreed that such Surrender is conditional upon the City consenting to lease the land and premises at 11 and 13 East Avenue North to D. A. Warring & Sons Foods Ltd., until such time as the premises on Lot 21, Plan 62M-555 are completed and ready for occupancy, but, in no event, beyond December 14, 1989.

The closing of the transaction on the attached Options to Purchase is conditional upon the closing of the following transactions, at the same time, on the same date (on or before May 25, 1989).

1. D. A. Warring & Sons Foods Ltd. conveying to The Corporation of the City of Hamilton, the property known as Municipal Number 13 East Avenue North, Hamilton, Ontario.
  2. John H. Whyte conveying to The Corporation of the City of Hamilton, the property known as Municipal Number 11 East Avenue North, Hamilton, Ontario.
  3. The Regional Municipality of Hamilton-Wentworth conveying to D. A. Warring & Sons Foods Ltd., Lot 21, Plan 62M-555 (Ancaster Industrial Park - Phase Two).
2. That an amount of \$3 600 be made available from Account No. CH55307-80040 to assist in defraying the costs associated with the hosting of the Roads and Transportation Association of Canada Symposium to be held in Hamilton on 1989 April 12 - 13.

NOTE: Because of the high level of municipal content in this symposium, it is recommended that the City participate financially in accordance with the policy of City Council.

3. (a) That the City of Hamilton participate in the 21st Annual Kitchener-Waterloo Oktoberfest Parade being held on 1989 October 9 by entering the City's Grey Cup Float at a total estimated cost of \$4 652.



- (b) This expenditure should be charged to Account No.  
CH55349 80040.

NOTE: The City of Hamilton entered the Grey Cup Float in the  
20th Annual Oktoberfest Parade on 1988 October 10.

This Parade is nationally televised by CTV enabling more than  
one million people from across Canada to see the Parade from  
their homes. In addition, it is expected to attract a crowd in  
excess of 300 000 persons. Kitchener-Waterloo Oktoberfest is  
the largest Oktoberfest celebration in the world outside Munich,  
Germany.

4. That leave be granted to introduce the following Bill:

- (a) Bill A-10      A By-law to Confirm the Proceedings of the  
Council of the Corporation of the City of  
Hamilton.

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
CO-ORDINATING COMMITTEE

J. J. Schatz  
Secretary  
1989 March 9

## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SIXTH Report for 1989 and respectfully recommends:

1. (a) That the vacant lot at 837 West 5th Street, which was approved for acquisition by City Council on June 28, 1988 under the implementation of the Proposed Plan for Kernighan Neighbourhood, be acquired through expropriation and that the City Solicitor be directed to take the appropriate action.
- (b) That the City Clerk be authorized and directed to:
  - i. give Notice of the City's Application as Expropriating Authority, to all owners and tenants (as defined in The Expropriations Act) to acquire the property at 837 West 5th Street, as described in Instrument No. 264616 A.B. for highway and municipal purposes;
  - ii. advertise Notice of the City's Application in a newspaper as required by The Expropriations Act, and;
  - iii. sign and receive the said Application for Approval to Expropriate.
- (c) That all related costs to the acquisition and expropriation be charged to Account No. RF53003 25202.
2. That the 0.3m reserve on Amalfi Street, known as Block "1" on Plan M-221 be transferred to the owners of Almas Gardens- Phase 5, Sunshine Construction Inc. and DiCenzo Construction Company Limited, so that it may be incorporated into the Plan of Subdivision for Almas Gardens - Phase 5.
3. That the application of Mr. N. J. Zaffiro, Solicitor, on behalf of the present owner of 407 Ferguson Avenue North, to retain the inadvertent encroachment consisting of a concrete porch measuring 0.35' x 10.52' and wooden steps measuring 2.2' x 4.35', be approved during the pleasure of Council, provided:
  - (a) That the owner enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss.

- (b) That a first year fee of \$105 and subsequent annual fee of \$20, be set for this privilege.
- (c) That the Mayor and City Clerk be authorized to sign and execute all necessary documents to implement this agreement.

- \*4. (a) That St. Peter's Hospital be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, May 28, 1990 to Monday, June 04, 1990, with the following message:

ST. PETER'S HOSPITAL  
BEGINNING OUR SECOND CENTURY  
OPEN HOUSE JUNE 1

- (b) That the Industry-Education Council (Hamilton-Wentworth) be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, April 2, 1990 to Monday, April 9, 1990, with the following message:

APRIL IS INDUSTRY-EDUCATION  
PARTNERSHIP MONTH

- (c) That Cycle Hamilton be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, August 7, 1989 to Monday, August 14, 1989, with the following message:

NIAGARA CLASSIC BICYCLE RACE  
HESS VILLAGE - AUGUST 13  
DUNDAS - AUGUST 19  
GORE PARK - AUGUST 19

- (d) That the Victorian Order of Nurses, Hamilton-Wentworth Branch, be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, January 22, 1990 to Monday, January 29, 1990, with the following message:

VICTORIAN ORDER OF NURSES  
CELEBRATING V.O.N. WEEK

- (e) That Opera Hamilton be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, March 26, 1990 to Monday, April 2, 1990, with the following message:

OPERA HAMILTON PRESENTS THE  
MARRIAGE OF FIGARO  
APRIL 5 AND 7, 1990



- (f) That the Canadian Serbian Centre "Holy Trinity" be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, June 26, 1989 to Monday, July 3, 1989, with the following message:

SERBIAN WEEK  
"KOSOVO" 600 YEARS

- (g) That the Ontario Liberal Party be permitted to display a promotional banner across Main Street West in front of City Hall, from Monday, March 26, 1989 to Monday, April 3, 1989, with the following message:

WELCOME LIBERALS  
BIENVENU LIBERAUX

5. That the resolution granted to the Big Brothers Association on June 28, 1988 in adopting Item 44 of the Tenth Report of the Transport and Environment Committee be amended by substituting the date of Monday, December 4, 1989 to Monday, December 11, 1989 instead of Monday, March 27, 1989 to Monday, April 3, 1989
6. (a) That the City Solicitor be authorized and directed to prepare a by-law to incorporate Block 56, Plan 62M-377 (0.30m reserve) into Greencedar Drive.
- (b) That the City Solicitor be authorized and directed to prepare a by-law to incorporate Part 2, Plan 62R-8403 (0.305 reserve) into Greenguild Avenue.
- (c) That the City Solicitor be authorized and directed to prepare a by-law to incorporate Part 1, Plan 62R-9675 into Brigade Drive.
- (d) That the City Solicitor be authorized and directed to prepare a by-law to incorporate Parts 2 & 5, Plan 62R-8055 and the easterly 30.50m of Block 45, Plan 62M-472 into Sinena Avenue.
7. (a) That the submitted schedules for the estimated cost of services in "Aspen West - Phase 4", Hamilton, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement with the owner, Benemar Construction Inc. (M. DeBenedictis, President). These lands are located west of Upper Wentworth Street North of Stone Church Road in the Crerar Neighbourhood. The total estimated cost of services for this development is \$235 641.07.
- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement between the City of Hamilton and the Owner, Benemar Construction Inc.

- (c) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and Subdivision Agreement have been registered.
- (d) That in the event the Subdivider wishes to proceed prior to the registration of the Final Plan, he be permitted to do so at his own risk, providing that he enters into a standard Agreement for Pre-servicing.
- (e) That the City's share for the cost of services for the development (\$59 756.01) be approved, and that the Co-ordinating Committee recommend the source of funding for this project.
- (f) That the City accept title to the land required for the future Marlene Drive, including the 0.3m reserve from the owner, "The Estate of Solomon Wasserman". These lands (described as Parts 1 and 2 on a Plan of Reference as prepared by J. D. Barnes Limited 1989, Plan W-7273) are being dedicated to the City by its owner in accordance with a draft plan of subdivision and the developer's solicitor is to prepare the necessary deed(s) and certify title to the City.
- (g) That the City Solicitor be authorized and directed to prepare the necessary By-law(s) to:
  - i. incorporate Part 1 on a Plan of Reference as prepared by J. D. Barnes Limited 1989, (Plan W-7273), into the road allowance for Marlene Drive, after the plan of subdivision for Aspen West - Phase 4 has been registered.
  - ii. incorporate the 0.3m reserve, Block 42, registered plan 62M-495 into the Rockview Avenue road allowance after the Plan of Subdivision for "Aspen West - Phase 4" has been registered.

THE CO-ORDINATING COMMITTEE RECOMMENDS THAT THE CITY'S SHARE OF SERVICES TO BE INSTALLED IN "ASPEN WEST-PHASE 4" IN THE GROSS AMOUNT OF \$59 756.01, BE FINANCED FROM THE RESERVE FOR CITY'S SHARE OF SERVICES THROUGH UNSUBDIVIDED LANDS, ACCOUNT NO. RF 59003 25207. *CARRIED.*

- 8. That the payment for street trees in subdivision be increased from five dollars fifty cents (\$5.50) per metre to six dollars and twenty-five cents (\$6.25) per metre of frontage and flankage. The new rate is to be applied to all subdivisions to be approved by Council after the adoption of the new rate.

9. (a) That westbound traffic on San Pedro Drive be required to stop for northbound and southbound traffic on San Francisco Drive;
  - (b) That the existing stop control at the intersection of Bendamere Avenue and West 33rd Street be switched such that eastbound and westbound traffic on Bendamere Avenue would be required to stop for northbound and southbound traffic on West 33rd Street; and
  - (c) That City Traffic By-law 66-100 be amended accordingly.
- 
10. (a) That a "No Parking, 8:00 a.m. - 4:00 p.m., Monday to Friday" regulation be implemented on the east side of Princeton Drive between Margate Avenue and Valecrest Avenue; and
  - (b) That stopping be prohibited on the north side of Jackson Street East commencing at a point 233 feet east of Catharine Street South and extending to a point 83 feet easterly therefrom; and
  - (c) That City Traffic By-law 66-100 be amended accordingly.
- 
11. (a) That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a School Traffic Officer be assigned to the intersection of Trevi Road/Greenshire Drive and Upper Paradise Road for the morning and evening crossing periods only; and
  - (b) That the Finance Committee be requested to recommend a method of financing \$4 620 to cover the cost of assigning a School Traffic Officer to this intersection for the remainder of 1989.
- 
12. (a) That stop signs be erected for eastbound and westbound traffic on Secord Drive at Woodman Drive such that the intersection will be controlled by a three-way stop; and
  - (b) That City Traffic By-law be amended accordingly.
- 
13. (a) That, in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a school traffic officer be assigned to the intersection of Mt. Albion Road and Greenhill Avenue; and
  - (b) That the Finance Committee be requested to recommend a method of financing for \$5 505 to cover the cost of assigning a school traffic officer to this intersection for the remainder of 1989.



14. (a) That the existing "Permit Parking" regulation on the east side of Province Street North, commencing at a point 136 feet north of Britannia Avenue and extending to a point 26 feet northerly therefrom be removed; and  
(b) That City Traffic By-law 66-100 be amended accordingly.
15. (a) That stopping be prohibited on the south side of Bendamere Avenue between West 33rd Street and a point 55 feet westerly therefrom; and  
(b) That City Traffic By-law 66-100 be amended accordingly.
16. (a) That a stop sign be erected to control westbound traffic on Coulter Avenue at Berry Avenue; and  
(b) That a stop sign be erected to control eastbound and westbound traffic on Coulter Avenue at Bell Avenue; and  
(c) That the existing "No Parking" regulation on the south side of Coulter Avenue from Bell Avenue to the east end be changed to a "No Stopping" regulation; and  
(d) That City Traffic By-law 66-100 be amended accordingly.
17. That the Director of Traffic Services be authorized to issue one time limit exemption permit to Mr. Mike Marinovic, 123 Charlton Avenue East, Apartment No. 1012.
18. (a) That, in accordance with an Ontario Municipal Board decision dated 1983 February 22, the driveway approach ramp on Balmoral Avenue South adjacent to the Old Country Restaurant, 1360 King Street East, be removed at the property owner's expense; and  
(b) That the Director of Public Works be instructed to carry out the removal of the approach ramp and to take the necessary action to recover the associated costs (estimated to be \$700).
19. (a) That the existing "Permit Parking" regulation on the west side of Harmony Avenue, commencing at a point 63 feet north of Vansitmart Avenue and extending to a point 25 feet northerly therefrom be removed; and  
(b) That City Traffic By-law 66-100 be amended accordingly.

20. (a) That with due notice to the Earl Kitchener Home and School Association; the crosswalk in front of Earl Kitchener School be restored to its original location.
- (b) That the boulevard parking agreement at 307 Dundurn Street south be rescinded.
- (c) That the Director of Traffic Services advise the By-law enforcement staff on using discretion when issuing tickets in the vicinity of Ray's Place Restaurant, 303 Dundurn Street South.
- \*21. That the charges of \$1 386 for the snow clearing undertaken by the Public Works Department, of the sidewalks around St. Michael's Anglican Church, 1188 Fennell Avenue East, be waived.
22. That the Hamilton Property Management's contractor carry out an amount of snow clearing work equal to the work carried out by the Public Works Department in clearing the sidewalks adjacent to the properties at 444 and 500 Stonechurch Road West 5 times.
23. (a) That the City Solicitor be directed to prepare a by-law for the stopping up, closing and retention of Holly Avenue from McAnulty Boulevard to the C.N.R. Right-of-Way;
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of City Council's intention to pass the By-law;
- (c) That the Regional Surveyor register a reference plan under The Registry Act;
- (d) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 48 of The Regional Act;
- (e) That the applicant provide Union Gas Co. with 2.0m wide easement over the existing gasmain within the proposed street closure; and
- (f) That a 6m easement be granted in favour of the Region over the existing 300mm sewer and existing manhole.

24. That leave be granted to introduce the following Bills:

- (a) B-40 By-law to Amend By-law 66-100 to Regulate Traffic.
- (b) B-41 By-law to Amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 March 06

/lp



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its SEVENTH Report for 1989 and respectfully recommends:

- \* 1. (a) That the Mayor and City Clerk be authorized to sign an agreement between the City and Maple Leaf Gardens (MLG), subject to approval by City legal advisors and the Parks and Recreation Committee, and the City legal advisors prepare a By-law; which authorizes the City Treasurer to issue a certified cheque to Maple Leaf Gardens for a Score Board and Concession Equipment for \$350 000 (federal sales tax included, provincial sales tax extra), subject to the value being confirmed through City staff and, in exchange, the City receive a certified cheque for \$345 919.43 from Maple Leaf Gardens representing the amount owed to the City for 1988 rent of Ivor Wynne Stadium used by the Ti-Cat Football Club - \$300 000; concession revenues for 1988 - \$42 980.17; and for realty and business taxes for January and February 1989 - \$2 939.26. A second certified cheque and not forming part of this agreement for \$4,080.57 representing a donation by Maple Leaf Gardens will be issued by MLG to the City for which the City will issue an income tax receipt under subparagraph 110.4(1)(a)(iv) of the Income Tax Act.
- (b) That the City of Hamilton, as purchaser of the equipment, pay the provincial sales tax of approximately \$3 000 (8% of about \$38 000) and charge this amount to the Reserve for Capital Projects.

NOTE: The City will be responsible for only \$3 000 for provincial sales tax rather than \$28 000. The \$3 000 will be offset by the prepaid maintenance agreement being covered by MLG to June 30, 1989.

2. (a) That the Hamilton Steelers Soccer Club Incorporated enter into a lease agreement with the Corporation of the City of Hamilton for a three year period, with an option for an additional two years, giving the Club prior rights to the Brian Timmis Stadium for practices and games, with the exception of those dates and times required for use by the Tiger Cat Football Club, and on the understanding that the dates and times as required, be submitted to the Department of Culture and Recreation by February 1st of each year.

- (b) That the rental rate paid by the Hamilton Steelers during the terms of the agreement be as follows:

Games:                   \$1 000 in 1989 with an increase of 5% in each concurrent year.

Practices:               \$18 per hour or portion thereof

- (c) That the Hamilton Steelers have exclusive rights to the concession in the Brian Timmis Stadium for the period of the agreement, for all Hamilton Steelers Games, and for all other programmed events as deemed appropriate by the Director of Culture and Recreation.
- (d) That the concession rights include the sale of food, non-alcoholic beverages, and souvenirs, and that the City be entitled to 10% of the gross sales from same.
- (e) That the Hamilton Steelers install and maintain at their own expense, an electronic scoreboard, on the understanding that the Hamilton Steelers shall receive exclusive advertising rights with respect to same, that it would be available to other tenants upon written approval from the Steelers; and that it would become the property of the City upon termination of the agreement.
- (f) That the Hamilton Steelers be given exclusive advertising rights within the Brian Timmis Stadium, at locations approved by the Director of Culture and Recreation.
- (g) That the Hamilton Steelers be required to provide at least two uniformed police officers at each game, a security guard at the admission gate to the Ivor Wynne Stadium where V.I.P. parking is to be allowed, and a security guard between the Brian Timmis and Ivor Wynne Stadium throughout the period of each game.
- (h) That the Hamilton Steelers Incorporated submit a financial statement with respect to admissions and gross sale related to concessions, by a chartered accountant licenced to practice public accounting in Ontario.
- (i) That an agreement satisfactory to the City Solicitor be executed, with respect to same.
3. (a) That the proposal by the Hamilton Redbirds to cost share new seating arrangements with the City of Hamilton on the following basis be approved:

Hamilton Redbirds to supply new aluminum seats and back rests including all supports at an estimated cost of \$34 500.

City of Hamilton to remove existing seats and back rests and to pay for new seat installation at an estimated cost of \$3 200.

(b) That the City of Hamilton's cost \$3 200 be charged to Account No. 0364 1601 CH51401 62118, Stadium Repairs and Maintenance.

(c) That the Manager of Parks advise the Hamilton Redbirds of this arrangement.

4. (a) That the following baseball diamonds be removed for the 1989 season:

- i. Highview Park #1 (west side)
- ii. Montgomery Park #5 (centre/west);

(b) That those teams who utilized these diamonds in the past be relocated where possible to diamonds in other parks;

(c) That the #3 and #4 diamonds in Montgomery Park be relocated approximately 65 to 70 feet to the north of their present location in order to provide more open space in the park and to provide a suitable, safe location for a creative play climber.

(d) That trees be planted in Montgomery Park along the area between the #3 Diamond and Berry Avenue in an effort to inhibit teams from using this area for warm up practice.

\*5. That permission be granted the Hamilton Polonia Soccer Club to sell beer and food during the occasion of their soccer tournament, scheduled for Mohawk Sports Park commencing May 20th to May 22nd, 1989, under the terms and conditions which include the following:

(a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.

(b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.

(c) That the applicant assume responsibility for all labour related costs as a result of this event.

(d) That special duty officers, deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense.

NOTE: Approval is required pursuant to Parks By-law 77-221



- \* 6. That approval be given to the organizers of the Hamilton Amstel Light Marathon to operate a beer garden on May 7, 1989 in a tent in the area near the track in Mohawk Sports Park in conjunction with the finishing line for the race, subject to the following terms and conditions:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the applicant assume responsibility for all labour related costs as a result of this event.
7. That in accordance with the requirements of the Ministry of Community and Social Services, that Section 11 of the 11th Report of the Parks and Recreation Committee, adopted by City Council at its meeting held June 23rd, 1987, to establish the Roxborough Centre as an Elderly Persons Centre under By-Law be amended as follows:
- (a) The name Roxborough Centre be changed to Roxborough Senior Citizens Centre.
  - (b) The name of the approved Corporation be changed from the Roxborough Elderly Persons Centre to the Roxborough Parc East End Multi-Service Centre.
  - (c) That the phrase "restricting the City's contribution to \$3 500" in any calendar year be deleted.
  - (d) That By-Law #87-261 be repealed.
  - (e) That a new By-Law be drafted in accordance with the amended recommendation.
8. That the City of Hamilton co-sponsor the 12th Annual Canusa Games Golf Tournament at the Chedoke, Beddoe Golf Course on Friday, July 14th, 1989.

NOTE: This involves the waiving of green fees of the participants in the tournament.

9. (a) That the application by Drum Corp International to use Ivor Wynne Stadium on Saturday, July 29, 1989 to host their 11th Annual Drum and Bugle Competition be approved subject to terms and conditions set down by the Director of Culture and Recreation in accordance with Schedule B of the Operational Regulations for use of Ivor Wynne Stadium.

- (b) That the rental rate be:               \$2 841.96 Flat Fee  
  \$35 Rental Green Room

Plus actual labour charges by the applicant for work carried out by civic staff over and above that which is normally undertaken.

10. (a) That an additional \$25 000, be added to the general contingency allowance portion of Bestco Construction Corporation contract for the installation of 140 feet of 6 inch sanitary sewer line through bedrock and an existing asphalt driveway; and

- (b) That this be charged to the Parks Division 1989 account CH 55348 62502 (Special Repair Projects Sewer Line - Bernie Arbour Stadium).

11. (a) That negotiations be entered into with the Sisters of St. Joseph of the Diocese of Hamilton, for the purpose of obtaining a long term lease on a portion of their property, located on King Street East at Nash Road; to allow the City to develop this property for park purposes, with the installation of 2 soccer and 2 baseball fields.

- (b) That concept plan showing the location of these facilities be approved.

12. (a) That the leasing of 107 Graham Avenue North to Mrs. Wanda Coe be approved. The tenancy is to commence on March 1, 1989 at a one time rental of \$300. Commencing April 1, 1989, the monthly rental will be \$550 including realty taxes estimated at \$1 200 for 1989.

- (b) That the Mayor and City Clerk be authorized to execute the Tenancy Agreement.

13. That permission be given staff to enter into negotiations, in co-operation with the Children's Hospital of Chedoke-McMaster Hospital, for purposes of jointly sponsoring the "Dinamation Exhibit" during the months of September to December, 1989.

03/14/89

14. That an amount not to exceed \$3 000 be used from the Trust Account No. 0279-03 to purchase equipment for the Children's Museum to assist with programming, public relations, and exhibits.
15. (a) That the one proposal received for the Feasibility Study for Arenas and Skating Rink not be accepted.  
(b) That a new proposal be prepared with a closing date of Wednesday, March 29, 1989.

NOTE: Staff have contacted the majority of the bidders and there are several that have indicated their interest in submitting a bid if three additional weeks were given to respond to the new proposal call.

In the new proposal we will be asking the bidders if they can meet the original scheduling which includes a final report at the end of July or alternate date to submit the final report. This criteria would be used as part of awarding process of the contract.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1989 March 07

/lp



## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its SEVENTH Report for 1989 and respectfully recommends:

1. That the Building Commissioner BE AUTHORIZED to issue a demolition permit for the following property:

- (a) 179 Young Street.

2. (a) That the City Solicitor BE AUTHORIZED to amend By-law 87-312, Section 9(a) by ADDING the following names:

- (i) Steve Teal
  - (ii) Michael Verboom

- (b) and by DELETING the following names:

- (i) Michael Reilly
    - (ii) Bernardo Agro
    - (iii) Donald Bodnar

NOTE: Due to recent changes in the staff of the Building Department, By-law 87-312 respecting the Appointment of Inspectors needs to be amended to accommodate these changes.

3. (a) That, By-law 86-144, appointing the Concession Street B.I.A. Board of Management, BE AMENDED to add the following name:

- (i) E. McKay Royal Bank

- (b) That, the City Solicitor BE AUTHORIZED and directed to amend By-law 86-144 pursuant to (a) above.

NOTE: At the Board of Management Meeting of 1989 January 18, E. McKay was appointed to the vacant directorship and position of Treasurer.

4. That a repayable Commercial Facade Loan Programme loan, in the amount of fifty thousand dollars (\$50,000.) BE APPROVED for John Mouskos, 1059-1065 King Street West. The interest rate to be 6-1/8 percent, amortized over 10 years.

5. That the Director of Community development BE AUTHORIZED to process the following grant/loan(s) under the Ontario Home Renewal Programme (O.H.R.P.) in the amounts not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under the Property Standards By-law 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under The Housing Development Act for the Ontario Home Renewal Programme.

- (a) Nancy MacBride  
46 East 16th Street
- (b) Tekla Andrezejczuk  
58 Barnesdale Avenue South

6. That the City Solicitor BE AUTHORIZED to prepare a Quit Claim Deed from the City of Hamilton to the present owners of 42 Keefer Court, Hamilton, Ontario to release the property from the construction covenants to the City as contained in deed number 436686 C.D.

NOTE: In adopting Item 16 of the Twelfth Report of the Planning and Development Committee, City Council on 1987, June 23 authorized the sale of Parts 15 and 16, Registered Plan 62R-7820 to Tuite Construction Limited. The transaction was completed on 1987, November 25. Their proposed building is now completed.

7. That the City Solicitor BE AUTHORIZED to amend the City's Subdivision Agreement to require the Subdividers erect a "Call B.U.D." sign in conjunction with the present required sign showing land use, with the sign to be supplied by the utility companies.

NOTE: The utility companies are experiencing considerable underground plant damages because various people excavate before requesting the companies to locate their facilities. The "Call B.U.D." system is a one phone number, one-call system which automatically triggers all utilities to locate in the field their plant prior to excavation. This service is provided free of charge.

The proposal is that the subdivider mount a sign, to be provided free by the utilities, in conjunction with the sign now required by the City of Hamilton. The purpose of the sign is to advertise this one-call system, and that this requirement be added to the Subdivision Agreement.

8. (a) That the City Solicitor **BE AUTHORIZED** and directed to take all necessary steps, including Court action, to force subdividers to comply with the City's Subdivision Agreement once the Solicitor has been informed by the Building Commissioner or the Commissioner of Engineering that a subdivider has defaulted on a Subdivision Agreement; and,
- (b) That the City Solicitor **BE AUTHORIZED** and directed to prepare the appropriate By-law for submission to City Council.

**NOTE:** The section pertaining to grading in the City's Subdivision Agreement is based on the principle that the subdivider's engineer will provide to the City a certificate when grading has been completed satisfactorily. City Council intentionally, and with the support of City staff, decided on this procedure in order to avoid additional staff and funds to survey each lot and parcel. Instead the onus is placed on the subdivider to prove that the grading complies with the original plan.

Under these agreements a default occurs when the certificate is not delivered on a specific date. The assumption by Committee and staff in implementing the procedure was that Court action would be commenced upon default; otherwise, there would be little incentive for subdividers to rectify grading difficulties.

Over the last several years, numerous subdivisions have become overdue in the delivering of grading certificates and have been turned over to the Solicitor for further action.

There are very few grading deficiencies of a serious nature if one gives due weight to the number of lots and buildings involved. The vast majority appear to be satisfactory, or have been changed by the present land owners. However, under the City Council's policy, City staff do not carry out all investigations. Instead, the subdividers are supposed to provide the City with the previously described certificate.

The City's Legal Department has advised that they are unable to take further action without a directive from Council.

The above-referenced recommendation will provide the City Solicitor with the necessary authority to defend the City's Subdivision Agreement.



9. That the City of Hamilton ACCEPT the sum of \$40,000. as cash payment in lieu of 5% dedication in connection with "Highridge Hills - Stage 2", Hamilton, this being the cash requirement under Section 50 of the Planning Act.

NOTE: These lands are located east of Upper Sherman Avenue and north of Stone Church Road in the Randall Neighbourhood.

10. (a) That APPROVAL be given to the "Intent to Designate" 256-258 MacNab Street North as a property of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983, as outlined in the Reasons for Designation, attached herewith and marked APPENDIX "A", and
- (b) That the City Solicitor BE AUTHORIZED and directed to take the appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.
- \*11. That City Council NOT SUPPORT the demolition of 105 Aberdeen Avenue, a listed building.

NOTE: The Local Architectural Conservation Advisory Committee at its meeting held 1989 february 13 recommended that L.A.C.A.C. not support the demolition permit for 105 Aberdeen Avenue and approved this property as being eligible for designation pursuant to the Ontario Heritage Act, 1983. Staff have been requested to undertake the necessary research and prepare Reasons for Designation.

The Planning and Development Committee at its meeting held 1989 February 1 referred the demolition permit application for this property to the Local Architectural Conservation Advisory Committee for comment.

The Planning and Development Committee also recommended to City Council that the Demolition Control By-law be applied to this property.

12. (a) That the revised Terms of Reference of the Business Land Use Advisory Board, attached herewith and marked APPENDIX "B", BE APPROVED; and,
- (b) That the City Clerk BE DIRECTED to advertise in the newspaper for two citizen members of the Business Land Use Advisory Board for a term of office to expire with the term of Council.

\* Section 11 referred back

13. (a) That **APPROVAL** be given to Subdivision Application 88-22, Shedaco Holdings Ltd., owner, to establish a draft plan of subdivision, south of Rymal Road, west of West 5th Street, subject to the following conditions:
- (i) That this approval apply to the plan prepared by Ashenhurst Nouwens Ltd., dated 1988, October 18 showing 6 lots and one block (Block "7") as a 0.3m reserve.
  - (ii) That the street be dedicated as a public highway on the final plan.
  - (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (v) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (vii) That the open side of the road allowance (Block "7") created by the plan be terminated in a 0.3m reserve to be conveyed to the City of Hamilton.
  - (viii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (ix) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- (b) That the subdivision agreement **BE ENTERED** into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-22) Shedaco Holdings Ltd., owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

14. That APPROVAL be given to Condominium Application SA-88-25 "Lancing Corporate Centre", 698675 Ontario Inc., owner, to establish a draft plan of condominium located at the south side of Lancing Drive, east of Nebo Road and north of Rymal Road East, subject to the following condition:

(a) That this approval apply to the plan prepared by Guido Consoli Surveying Ltd., dated 1988, November 10.

15. That APPROVAL be given to Zoning Application 88-66, Leucio and Concetta Zoccolillo, owners, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, property located at 990 West 5th Street, as shown on the attached map marked as APPENDIX "C", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at 990 West 5th Street.

The effect of the By-law is to permit development of the lands for single-family dwelling purposes.

16. That APPROVAL be given to Zoning Application 88-102, Robert Beatty, owner, for a change in zoning of the rear part of property located at 1296 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38C for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



NOTE: The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of 1296 Upper Gage Avenue.

The effect of the By-law is to permit the rear portion of lands fronting onto Rexford Drive to be developed for single-family dwelling use.

17.

That APPROVAL be given to Zoning Application 88-108, Russell and Carol Prosje, owners and prospective owners, to establish changes in zoning from "M-13" (Prestige Industrial) District (Block 1) and "M-14" (Prestige Industrial) District (Block 2) to "M-11" (Prestige Industrial) District modified, and for a modification to the established "M-11" (Prestige Industrial) District regulations (Block 3), applicable to property located at 1360 Rymal Road East (and rear of), as shown on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the lands described as Block 1 be rezoned from "M-13" (Prestige Industrial) District to "M-11" (Prestige Industrial) District;
- (b) That the lands described as Block 2 be rezoned from "M-14" (Prestige Industrial) District to "M-11" (Prestige Industrial) District;
- (c) That the "M-11" (Prestige Industrial) District regulations as contained in Section 17C of Zoning By-law No. 6593 applicable to the lands described as Blocks 1, 2 and 3 be modified to include the following variances as special provisions:
  - (i) That Section 4.(3)(a) of By-law No. 6593 shall not apply.
  - (ii) That notwithstanding Section 17C(1) of By-law No. 6593, the following uses shall also be permitted:

1. Residential

The existing single-family dwelling and accessory private garage.

2.

Commercial Use

S.I.C.

Identification

Motor Home and Travel  
Trailer Dealers

6321

- (iii) That notwithstanding Section 17C(2)(h)2 of By-law No. 6593 a split rail fence not less than 1.2m in height and not greater than 2.0m in height shall be provided and maintained along the entire westerly lot line, except for any area used for an access driveway;
- (iv) That notwithstanding Section 17C(2)(h)4 of By-law No. 6593 the total area used for outside storage/display for the use specified in Section (ii)2 above, shall not exceed 55% of the lot area;
- (v) That a landscaped area having a minimum width of 6.0m shall be provided and maintained along the entire westerly side lot line, except the land on which the existing building is situated and any area used for an access driveway;
- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1117, and that the subject lands on zoning District Map E-69E be notated S-1117;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-69E for presentation to City Council;
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
- (g) That the Mountain Industrial Area Plan be amended by redesignating Blocks 1 and 2 from "Restricted Industrial/Commercial" to "Restricted Commercial".

NOTE: The purpose of the By-law is to provide for the following changes in zoning for property located at 1360 Rymal Road East (and rear of).

- Block 1 - change from "M-13" (Prestige Industrial) District to "M-11" (Prestige Industrial) District, modified.
- Block 2 - change from "M-14" (Prestige Industrial) District to "M-11" (Prestige Industrial) District, modified.
- Block 3 - modification to the established "M-11" (Prestige Industrial) District.

The effect of the By-law is to permit the existing single-family dwelling and accessory private garage, and to allow the use and expansion of the subject lands for a motor home and travel trailer dealership.

In addition, the By-law provides for the following variances as special requirements:

- (a) to permit two principal uses (i.e. single-family dwelling and motor home/travel trailer dealership) on the same lot or tract of land, whereas only one use is permitted;
- (b) to require a landscaped area having a minimum width of 6.0m to be provided and maintained along the entire westerly side yard, except for the land on which the existing building is situated and any area used for access driveway(s);
- (c) to allow a split rail fence having a height of not less than 1.2m and not greater than 2.0m to be provided and maintained along the westerly side lot line, whereas a 1.5m to 3.0m high visual barrier is required;
- (d) to permit an outside storage/display area for motor homes and travel trailers having a maximum of 55% of the lot area, whereas a maximum of 5% is permitted.

18. That **APPROVAL** be given to Zoning Application 88-123, Mr. E. Monkley, prospective owner, for a further modification to the established "M-13" (Prestige Industrial) District regulations to permit the installation and wiring of trailer hitches, and the assembly of light utility automobile trailers, for property located at 81 Dartnall Road, as shown on the attached map marked as **APPENDIX "F"** on the following basis:

- (a) That the "M-13" (Prestige Industrial) District regulations as contained in Section 17E(1) of Zoning By-law No. 6593 as amended by By-law 85-35, applicable to the subject lands, be further amended to include the following variances as special provisions:

- (i) That Section 1.(b)(ii) of By-law No. 85-35 be amended by adding after paragraph 2 the following new paragraph 3 which reads as follows:

"3. The installation and wiring of trailer hitches."

- (ii) That Section 1.(b)(iii) of By-law No. 85-35 be renumbered as 1.(b)(iv), and the following new Section 1.(b)(iii) be added:

(iii) Industrial Use shall be permitted:

- 1. The assembly of light utility automobile trailers.



- (iii) That Section 1.(c)(i) of By-law No. 85-35 be deleted and the following substituted therefore:
    - "(i) a planting strip not less than 6.0m wide shall be provided and maintained abutting the full length of the northerly side lot line;"
  - (iv) That Section 1.(c)(ii) of By-law No. 85-35 be deleted and the subsequent sections appropriately renumbered;
  - (v) That notwithstanding Section 17E(2)(b)1.(ii) of By-law No. 6593 a side yard having a minimum width of not less than 5.0m shall be provided and maintained along the southerly side lot line;
  - (vi) That notwithstanding Section 17E(2)(b)1.(iii) of By-law 6593 a rear yard having a depth of not less than 1.0m shall be provided and maintained.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-862a, and that the subject lands on Zoning District Map E-69D be notated S-862a;
  - (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-69D for presentation to City Council;
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide a further modification to the "M-13" (Prestige Industrial) District provisions applicable to property at 81 Dartnall Road.

The effect of the By-law is to permit the expansion of the existing building and the following additional uses:

- (a) installation and wiring of trailer hitches;
- (b) assembly of light utility automobile trailers;

In addition the By-law provides for the following variances as special requirements:

- (a) a reduction in the width of the required landscaped area abutting the full length of the northerly side lot line from 13.5m to 6.0m;
- (b) to permit a minimum southerly side yard of 5.0m, whereas 5.18m is required;

- (c) to permit a minimum rear yard of 1.0m for the expansion of the existing building, whereas 7.5m is required;
- (d) to delete the required 7.5m wide planting strip where it abuts the "A" (Conservation, Open Space, Park and Recreation) District adjoining the rear property line.

19. That Zoning Application 88-112, Wentwal Developments Inc., owner, requesting a change in zoning from a modified "G-1" (Designed Shopping Centre) District to "G-1" (Designed Shopping Centre) District to permit additional commercial uses (e.g. restaurant, carwash, automobile service station ) for lands located at the north-west corner of Upper Wentworth Street and Rymal Road East, as shown on the attached map marked as APPENDIX "G", BE DENIED for the following reason:

- (a) The proposed uses are considered inappropriate for the development of the subject lands.

20. That leave be granted to introduce the following Bills:

- (a) Bill D-33 A By-law to amend Zoning By-law No. 6593 respecting lands located at the rear of Municipal Nos. 25 to 31 Clinton Street.
- (b) Bill D-34 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 373 Brunswick Avenue.
- (c) Bill D-35 A By-law to adopt Official Plan Amendment No. 71 respecting land known Municipally as 1249 Stone Church Road East, within the Trenholme Neighbourhood.
- (d) Bill D-36 A By-law to amend By-law No. 87-312 respecting Appointment of Inspectors under the Building Code Act.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1989 March 1



## REASONS FOR DESIGNATION

### 256-258 Macnab Street North

256-258 MacNab Street North represent the two centre units of a 6-unit, 2 1/2 storey brick rowhouse built in 1879-80. Located two blocks south of the Custom House between Murray and Barton Streets, this outstanding Victorian terrace is a well-integrated component of the late nineteenth and early twentieth century residential area surrounding St. Mary's Church. The unusual design and flamboyant character of the MacNab Street North terrace, however, sets it apart from its neighbours and from other Victorian rowhouses in the City.

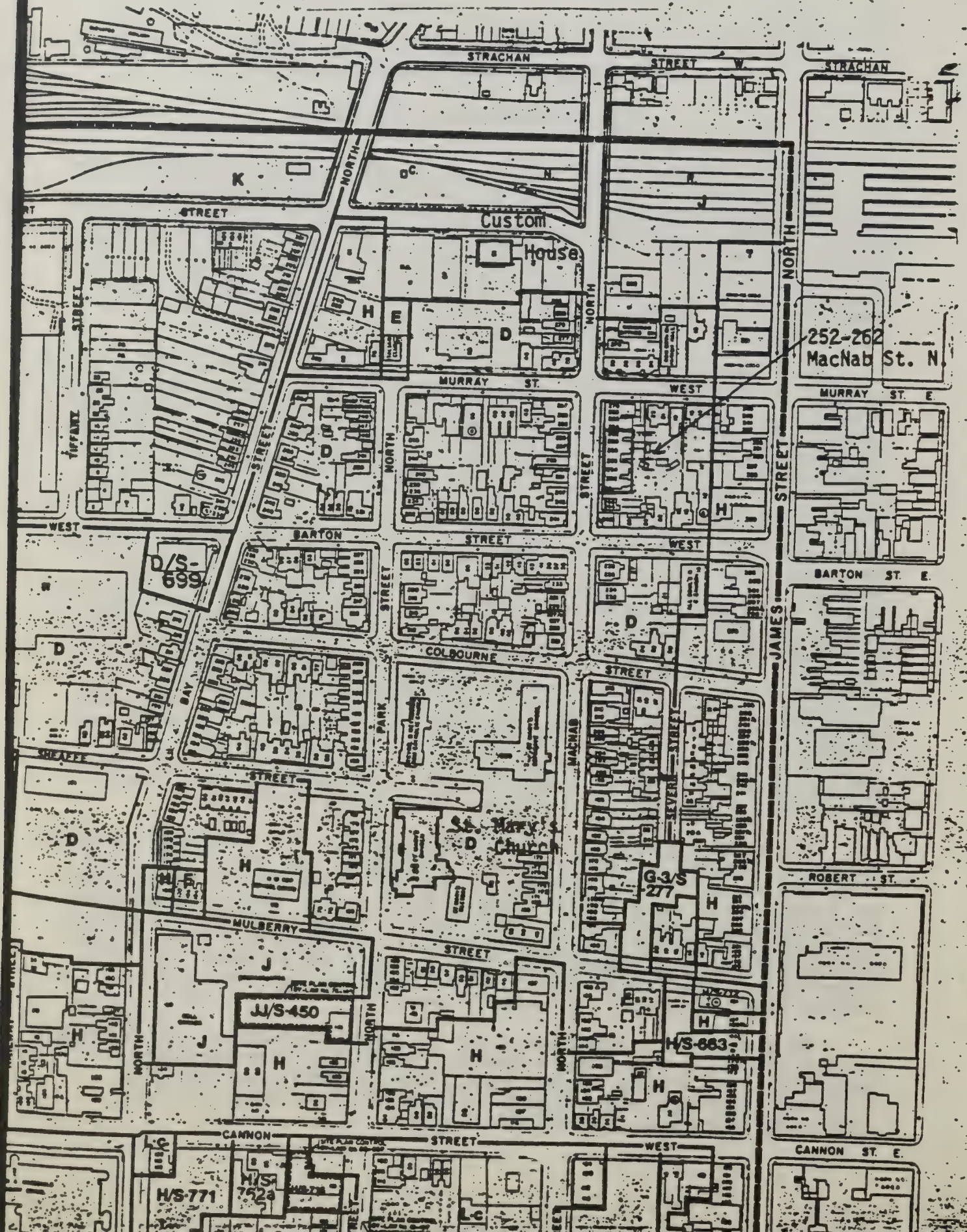
Designed by the noted Hamilton architect, James Balfour, the terrace at 252-262 MacNab Street North is one-of-a-kind in this city. Its brick masonry construction, gabled bays and segmentally arched windows were characteristic of rowhouses built in Hamilton from the 1880s through the 1910s. Its highly ornate square wooden bays decorated with bracketed cornices separating the first and second floor windows and pilasters framing the tall paired windows, however, appear to have been inspired by the all-wood Italianate houses and rowhouses built in San Francisco and other west and east coast American cities throughout the 1870s. The charm and uniqueness of the MacNab terrace derives from Balfour's skilful blending of forms and details borrowed from two quite distinct vernacular row housing traditions. The first two floors of the wooden bays, strikingly similar in design to San Francisco Italianate houses, are crowned by steep-pitched gables decorated with bargeboard, a typical High Victorian Gothic feature characteristic of 1880s row housing in Hamilton. The roofline is also punctuated by steep gabled dormers. The roofs and railings of the porches set between the square bays do not appear to have been part of Balfour's original design. A distinguishing feature of the centre two units is the carriage entrance which separates them at the ground floor level and visually divides the terrace into two 3-bay segments.

Historically, the row is important for its association with Henry J. Larkin, a barrister and developer who built the fine Renaissance Revival commercial block on James Street North known as Treble Hall (originally Larkin Hall), also designed by James Balfour and built in 1879. The MacNab Street North terrace was owned by the Larkin family until 1889 and remained under single ownership until it was subdivided amongst five owners in 1942. Since this time the centre two units, which are connected at the second storey, have been jointly owned.

Of particular importance to the preservation of 256-8 MacNab Street North is the street facade, including the carriage entrance, the ornate wooden bays, the dormers, bargeboard, original doorways and windows, and roofs and chimneys (but excluding the later porch additions).



## Central Neighbourhood Map





# 256-258 MacNab Street North: Planning Information



**Current Zoning** - "D"- Urban Protected Residential { One-Two Family Dwellings, Townh

**Site Description** - Residential area of a mix of detached and row housing, mostly late nineteenth-early twentieth century vintage.

**Planning Policies** - a) Neighbourhood Plans - Central Area Plan designates the properties as "mixed use".  
The Central Neighbourhood Plan designates the the properties as "Residential ,single, double and attached".

b) Official Plan - Designated "Residential" on Schedule "A" of the O.P. Similar densities and types of dwellings are favoured.  
Policy C.7.3 - promotes the restoration and rehabilitation of housing structures exhibiting Architectural or Historical merit.  
Properties are also within SPECIAL POLICY AREA 3 on Schedule 'B' of the Official Plan. It is the intent of this policy to promote and protect housing in close proximity to downtown.

**Current Status** - October 28, 1988

	Yes	No
a) Heritage Designation		x
b) Listed Building/s	x	
c) Site Plan Control		x
d) Demolition Control		x
e) Zoning Change		x

256 MacNab St. N.

252-254

1988



258



254

Early 1970s



Appendix "B" as referred to in Section 12 of the SEVENTH Report for 1989 of the Planning and Development Committee.

TERMS OF REFERENCE  
FOR THE  
BUSINESS LAND USE ADVISORY BOARD  
OF THE  
CITY OF HAMILTON

- PURPOSE: To advise and make recommendations to the Planning and Development Committee of the City of Hamilton on land use planning issues which may affect the existing business community and/or the expansion thereof in the City of Hamilton with emphasis on the industrial sector.
- MANDATE: To review land use planning issues relating to business (industrial and other uses within industrial areas) concerns, including, but not limited to:
- the Official Plan and amendments;
  - Neighbourhood Plans and secondary plans;
  - text amendments to the Zoning By-law;
  - Provincial legislation changes affecting land use planning for business; and,
  - trends in industry and commerce which should be accommodated in land use planning.
- BOARD MEMBERS:
- Chairman of the Planning and Development Committee or his designate (to serve as Chairman of the Board).
  - A representative from the Chamber of Commerce.
  - Two representatives of the business community recommended by the Chamber of Commerce.
  - A representative from the Hamilton Labour Council.
  - A representative from the Hamilton and District Building Trades Council.
  - A representative from the Ministry of the Environment.
  - The Hamilton-Wentworth Director of Economic Development.
  - The Hamilton-Wentworth Commissioner of Planning and Development.
  - Two citizen members appointed by Council for a term of office to expire with the term of Council.

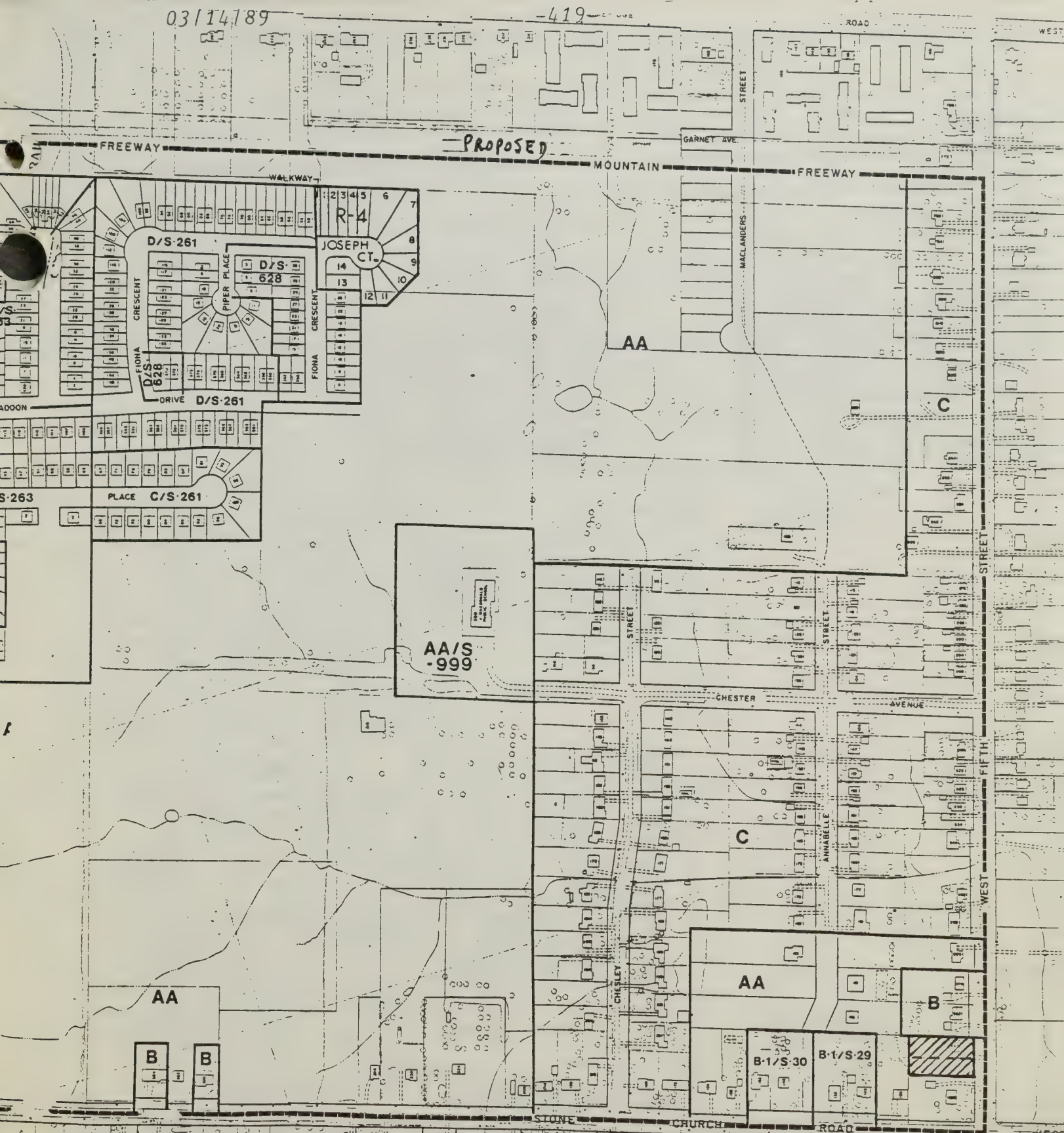
Support staff will be supplied by the Planning and Development Department who will act as resource personnel. Other staff of the City and Region may be required to attend at the request of the Chairman.

MEETINGS: At the call of the Chairman or as requested by a member of the Board through the Chairman.

COMMUNICATION:  
(REPORTING  
PROCEDURES)

- The Planning and Development Committee may refer items to the Board.
- The Planning and Development Department will forward items listed under "Mandate" to the Board for its consideration.
- A member may bring forward an item to be considered by the Board.
- Individual persons and/or groups may request, through the Chairman of the Board, to make a presentation.

C.F.:nd  
W.P. DOC. 0121P



Appendix "C" as referred to in section 15 of the SEVENTH Report for 1989 of the Planning & Development Committee.

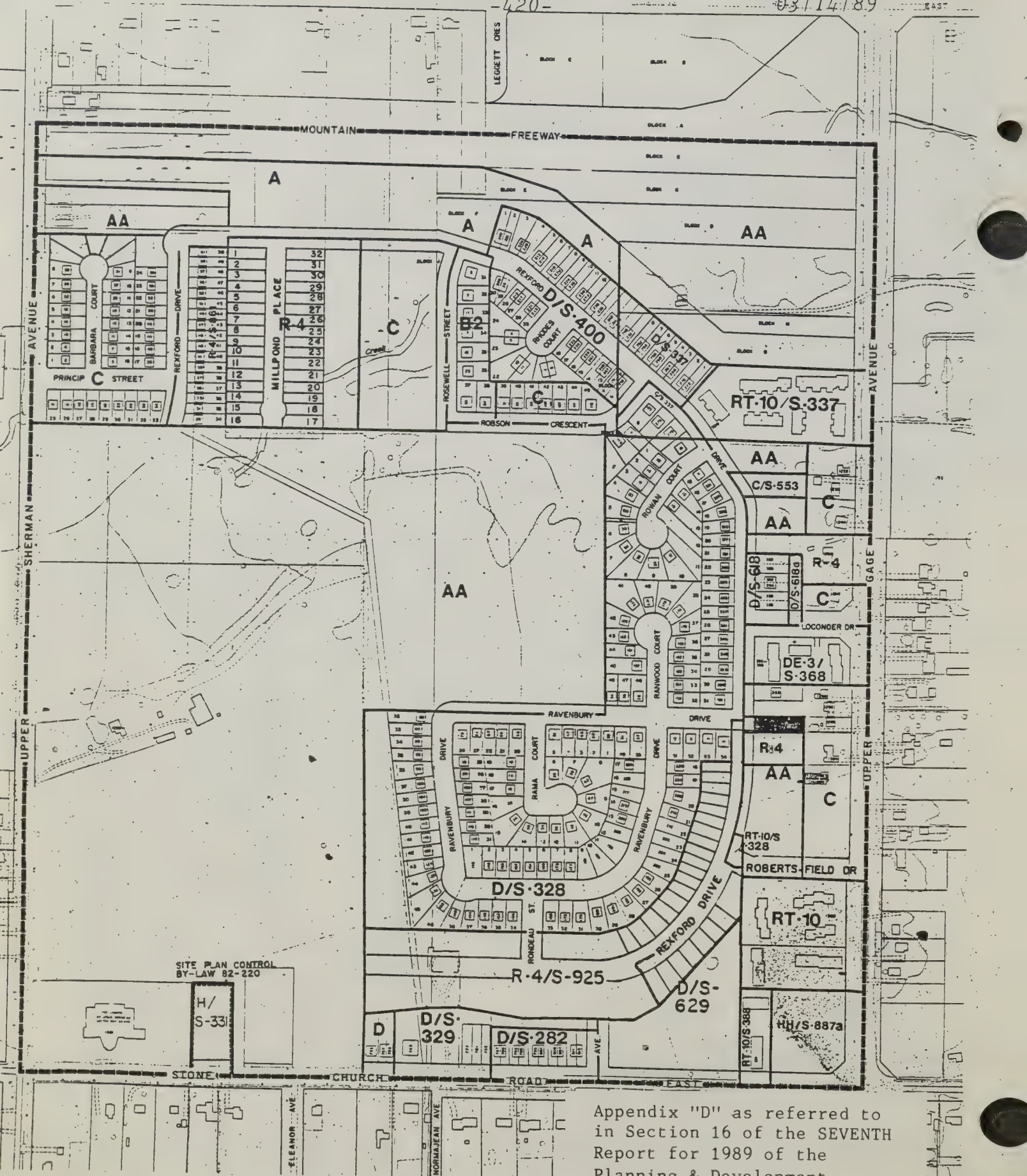
### LEGEND.



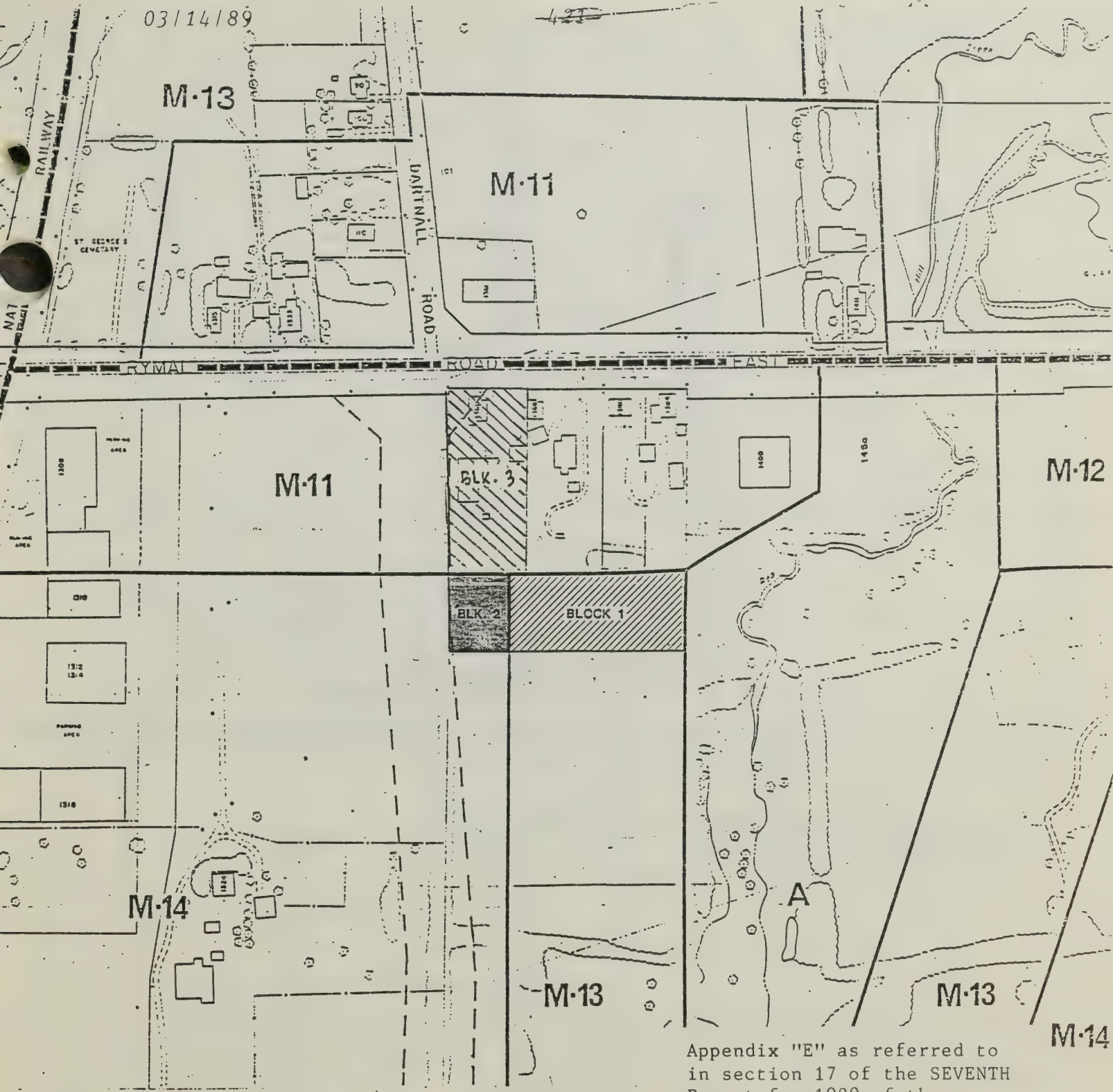
SITE OF THE APPLICATION.

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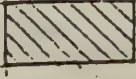





03/14/89



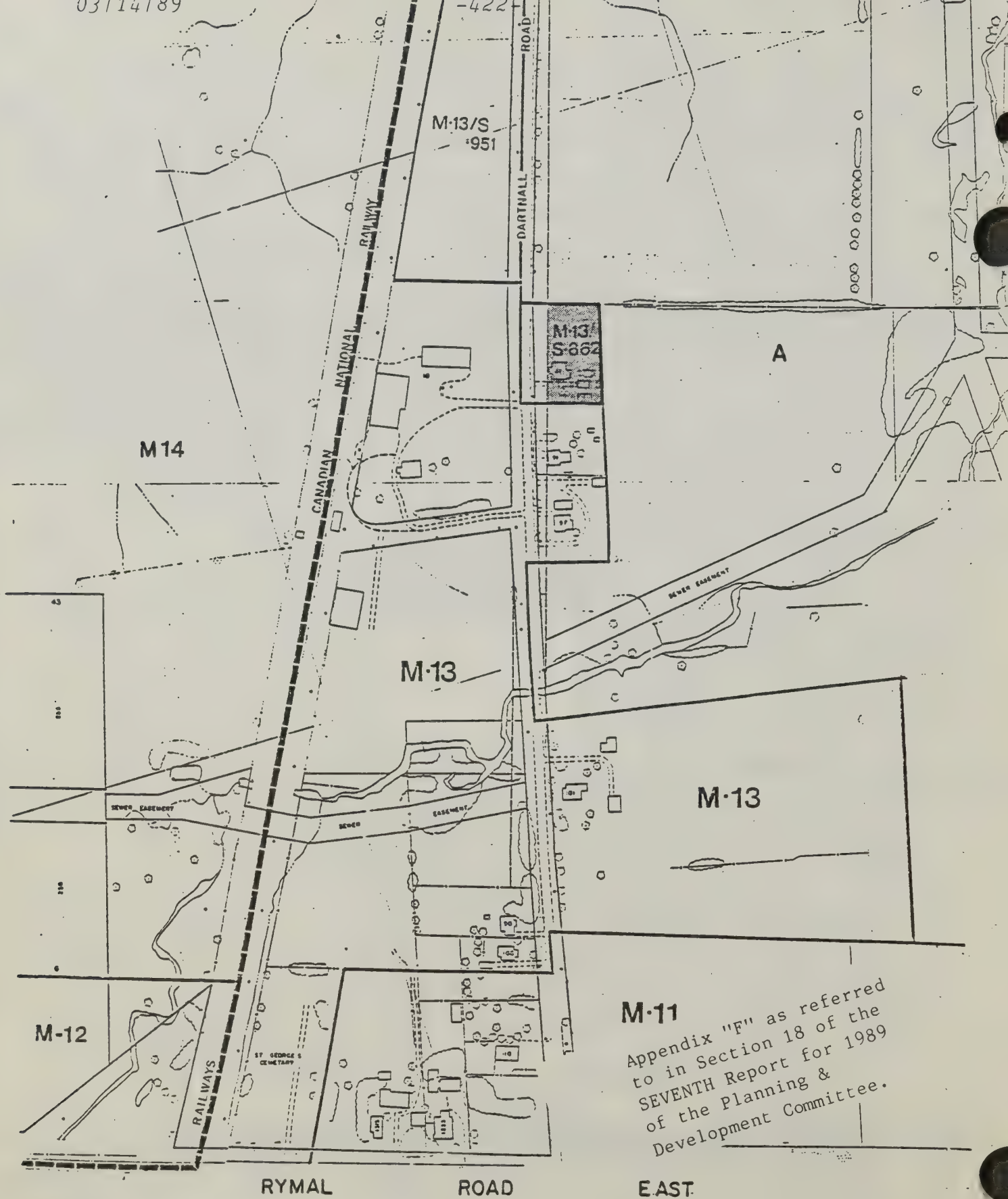
**LEGEND**

- BLOCK 1**  CHANGE IN ZONING FROM "M-13" (PRESTIGE INDUSTRIAL) DISTRICT TO "M-11" (PRESTIGE INDUSTRIAL) DISTRICT, MODIFIED.
- BLOCK 2**  CHANGE IN ZONING FROM "M-14" (PRESTIGE INDUSTRIAL) DISTRICT TO "M-11" (PRESTIGE INDUSTRIAL) DISTRICT, MODIFIED.
- BLOCK 3**  MODIFICATION TO THE "M-11" (PRESTIGE INDUSTRIAL) DISTRICT REGULATIONS

Appendix "E" as referred to in section 17 of the SEVENTH Report for 1989 of the Planning & Development Committee.

  
ZA 88-108

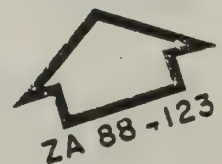




**LEGEND**



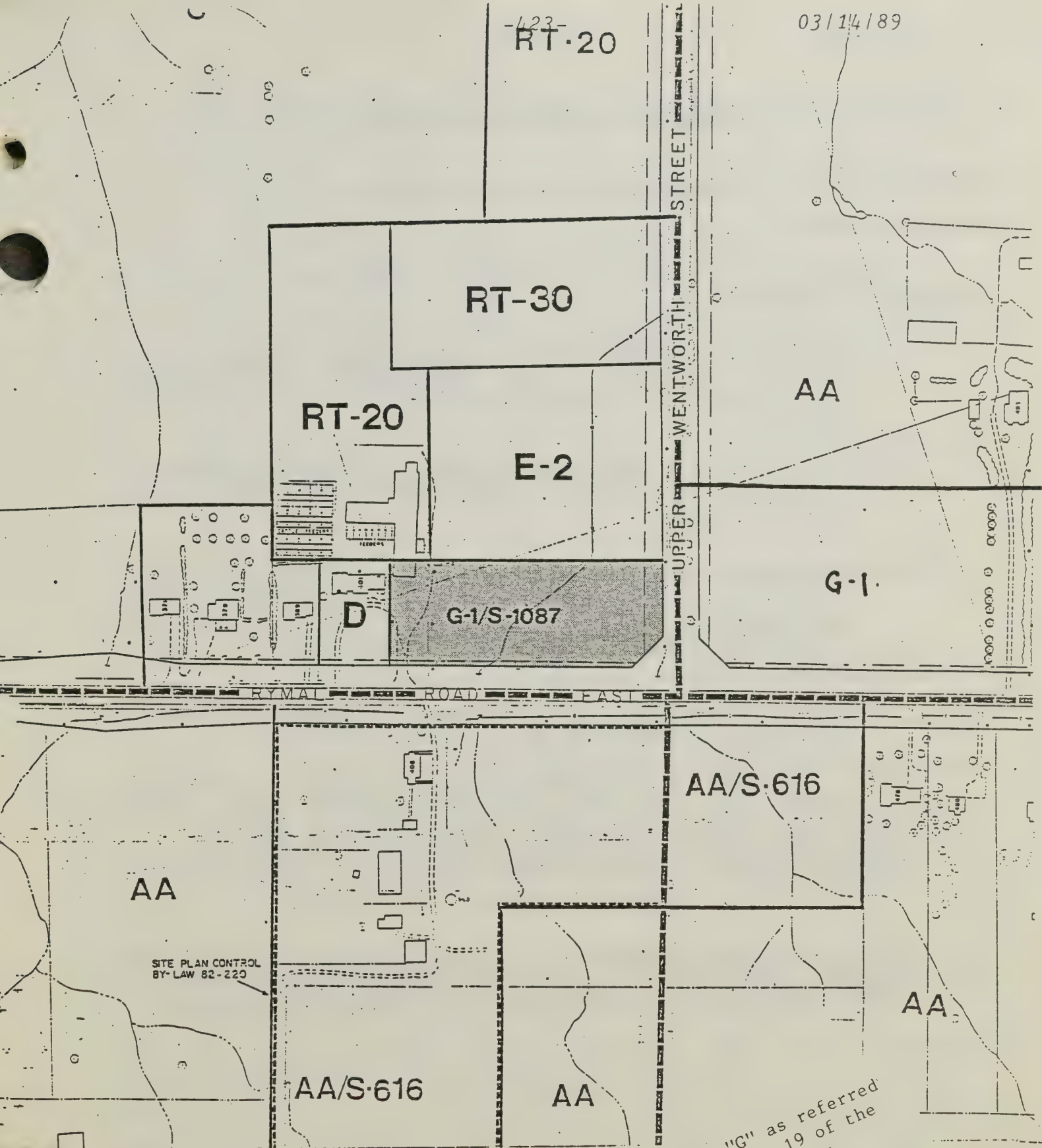
SITE OF THE APPLICATION



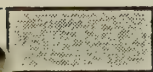


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RT-20

03/14/89



LEGEND



SITE OF THE APPLICATION

Appendix "G" as referred  
to in Section 19 of the  
SEVENTH Report for  
1989 of the Planning  
& Development Committee.



ZA 88-112

## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its FIFTH Report for 1989 and respectfully recommends:

1. (a) That the City of Hamilton host a buffet luncheon at Hamilton Place at 1:00 o'clock p.m. on Tuesday, 1989 March 21 for the 60-member cast and crew of the Shanghai Ballet Company to welcome them to the City.
- (b) That the cost of this buffet luncheon not to exceed \$950 and be charged to Account No. CH55314-84010, Special Receptions and Dignitaries Hosting.
2. (a) That approval be given to provide an amount of \$6 000 for hosting of the twin cities, other dignitaries, ground transportation arrangements and contingency expenses for the visit of a delegation of Hamilton community leaders to our twin cities in Japan and China.
- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.
- Note:** As a result of invitations from Mayor Makimoto of our twin city of Fukuyama, Japan, and Mayor Zhou Yude of Ma'Anshan, China, and the need for economic development and tourism promotion in Japan, Mayor Robert Morrow is proposing to lead a delegation of fifteen (15) Hamilton community leaders to these countries from 1989 April 06 to 1989 April 22.
3. That the Mayor be authorized to issue a proclamation proclaiming Daylight Saving Time in the City of Hamilton from 2:00 o'clock a.m., Sunday, 1989 April 02 to 2:00 o'clock a.m., Sunday, 1989 October 29.

4. That approval be given to the request of the Sons of Italy of Ontario, Trieste Lodge to include the name "Hamilton" in the following corporations.
  - (a) Sons of Italy (Hamilton) Housing Corporation
  - (b) Sons of Italy (Hamilton) Charitable Corporation
5. That the request of AHEPA Family (American Hellenic Education Progressive Association) Hamilton, for permission to fly the Greek Flag at City Hall during their Convention Week from 1989 May 15 to 1989 May 21, be approved.
6. That the request of the United Croats of Canada, Hamilton Branch to display the Croatian Flag at City Hall on 1989 April 10 in recognition of Croatian Independence Day, be approved.
7. (a) That permission be granted to the Kidney Foundation of Canada, Hamilton and District Chapter to
  - (i) use the City Hall forecourt on Tuesday, 1989 April 25 at 11:00 a.m. for a balloon release ceremony in recognition and celebration of Organ Donor Awareness Week
  - (ii) display posters from local schools in the foyer area of City Hall for a period of 2 weeks commencing 1989 April 24 promoting and emphasizing the importance of the Organ Donor Awareness Program
- (b) That a light reception in the form of coffee, tea and cookies be provided to approximately 40 people following the balloon launch release ceremony and that this expense be charged to Account No. CH55313-84010, Receptions - City Hall.
8. That the request of the Director of Culture and Recreation for the use of the Council Chambers by the Hamilton Minor Hockey Council for the purpose of conducting their Annual Meetings, be approved.

Note: This year their annual meeting will be held on 1989 May 03 at 7:30 o'clock p.m.



9. That the following resolutions from the Cities of Waterloo, Windsor and the Township of Kingston objecting to the freezing of unconditional grants at the same level as 1988, be endorsed.

(a) City of Waterloo

"WHEREAS the Ministry of Municipal Affairs provides Unconditional Grants to municipalities consisting of per household grants, resource equalization grants and support grants;

AND WHEREAS The Honourable John Eakins, Minister of Municipal Affairs, announced on 1988 December 12 that each municipality will receive in 1989 the same amount it received in 1988 for Unconditional Grants;

AND WHEREAS municipalities may have to raise additional property taxes to compensate for the lack of Provincial funding with respect to Unconditional Grants;

AND WHEREAS the Association of Municipalities of Ontario made several recommendations with respect to Unconditional Grants under AMO Report 88-7 Unconditional Grants Proposal for 1989 dated August, 1988.

BE IT THEREFORE RESOLVED that the Provincial Government reconsider the funding provided to municipalities in 1989 under the Unconditional Grants program;

AND FURTHER that a copy of this resolution be forwarded to the Treasurer of Ontario, the Minister of Municipal Affairs, municipalities with a population greater than 50 000, the Association of Municipalities of Ontario, the Association of Municipal Clerks and Treasurers of Ontario and the Urban Finance Officers' Association of Ontario."

(b) City of Windsor

"That the Minister of Municipal Affairs BE ADVISED that the Council of the City of Windsor strongly objects to the freezing of the Unconditional Grants to the same level as 1988, since the Province has not taken into consideration the additional taxes levied by the Province which increase costs to municipalities, and also that the City objects to the Province allocating grants to meet their own priorities, thereby reducing the local municipality's ability to set its own goals and objectives; and further, that this report and resolution BE SENT to the Association of Municipalities of Ontario, municipalities in excess of 100 000 population and local members of the Legislative Assembly requesting their endorsement and support."

(c) Township of Kingston

"WHEREAS the Treasurer of Ontario has announced that unconditional transfer payments to local municipalities, for the year 1989 will be frozen to 1988 dollar amounts.

AND WHEREAS such transfer payments do not reflect either inflationary factors or growth in municipal populations and households.

AND WHEREAS it has always been a provincial policy to encourage growth and to provide ever increasing housing availability within a municipality.

AND WHEREAS the freezing of transfer payments based on households and populations has severely penalized those municipalities that have strived to increase housing stocks.

AND FURTHER such a freeze has created an inequality between municipalities by transferring a higher per household grant to those municipalities with either no increase or even a decrease in households than to those with a population growth.

NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the Township of Kingston petitions the Premier of Ontario to restore, at once, equal per household grants for 1989 unconditional transfer payments, including a reasonable percentage increase for inflation.

AND FURTHER this resolution be forwarded to the Treasurer of Ontario, the Minister of Municipal Affairs, Mr. Larry South, M.P.P. Frontenac/Addington, the Leaders of the Opposition Parties, the Association of Municipalities of Ontario and to all other municipalities with a population in excess of 10 000 requesting their support of this resolution."

10. That the following resolution from the City of Windsor dealing with the Five Year Strategic Plan of the Ontario Arts Council, be endorsed.

"That the request of the Ontario Arts Council for support of its Five Year Strategic Plan entitled 'Moving Forward - A Five Year Strategic Plan prepared by the Ontario Arts-March 1988' and the request for increased Provincial funding to implement the plan **BE APPROVED** and further that the Premier of Ontario and the Minister of Culture and Communications **BE ADVISED** of Council's support of the Plan and the request for increased funding, and further that a copy of this resolution **BE FORWARDED** to local members of the Legislative Assembly, Members of Parliament and the Ontario Arts Council."

11. That the Chairman or his delegate be authorized to attend the Eighth Annual Meeting of the Large Urban Section of the Association of Municipalities of Ontario to be held in the City of Sarnia 1989 April 26 to 1989 April 28.
12. That any Member of City Council wishing to do so be authorized to attend a special meeting of the Membership of the Association of Municipalities of Ontario to be held in the City of Toronto at the Holiday Inn behind Toronto City Hall on Thursday, 1989 March 30 from 1:30 o'clock p.m. to 4:30 o'clock p.m. to discuss the recent actions of the Provincial Government regarding municipal funding and to assist AMO in developing a strategy for resisting these tax shifts.

**Note:** Registration forms are available from the Secretary and must be returned to the AMO offices NO LATER THAN Friday 1989 March 24.

**Respectfully Submitted,**

**ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE**

**John Thompson, Secretary  
1989 March 06**

**mjlw**



REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its THIRD Report for 1989 and respectfully recommends:

- \*1. WHEREAS charges of insubordination against the City Solicitor's Department has been made by the Head of the Council of the Corporation of the City of Hamilton, namely, Mayor Robert M. Morrow;
- AND WHEREAS these charges were made at a public meeting of City Council held on Tuesday, February 28th, 1989;
- AND WHEREAS any question of insubordination between employees and the Corporation is a private, personal and personnel matter, and should be pursued in private with the employee and the employee's supervisor or the appropriate committee of City Council;
- AND WHEREAS City employees are unable to properly defend themselves in a public forum and are not permitted to state their reasons for their actions;
- THEREFORE the Personnel Committee recommends that City Council disassociate itself with the "manner" and "method" used by Mayor Morrow to charge the City's Solicitors with insubordination.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN  
PERSONNEL COMMITTEE

Susan K. Reeder  
Secretary  
1989 March 13

## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its SIXTH Report for 1989 and respectfully recommends:

1. (a) That the City Solicitor be authorized and directed to prepare a Quit Claim Deed in favour of the Board of Education for the City of Hamilton for the property located at 465 Beach Boulevard and formerly known as Bell Cairn School.
- (b) That the Mayor and City Clerk be authorized to execute the Quit Claim Deed.

**Note:** The property is described as being part of Burlington Beach Plan on the east side of Beach Boulevard, part of Lot 1, Registered Plan No. 364, and more particularly designated as Part 1 on Reference Plan No. 62R-9896.

2. That Vehicle No. 9008, a 1980 Ford van, instead of Vehicle No. 9019, a 1981 Chevrolet pick-up be replaced from the 1989 Equipment Reserve Account.
3. That a purchase order be issued to Cloke & Son Ltd., Hamilton for the supply and delivery of office supplies and stationery as and when required to all City Departments, for the years 1989, 1990 and 1991 in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's tender, as follows.

		% Increase for	
		1990	1991
	<u>Based on 10% of Items Tendered</u>		
Cloke & Son Ltd.			
Hamilton	\$180.46 + 40% off catalogue	5%	6%

**Note:** Lowest of three (3) tenders received. Fund provided in various office supplies accounts.

4. That a purchase order be issued to Burns International Security Services Limited, Hamilton for security services for the Property Department including Real Estate and Property Divisions, Public Works Department including Parks Division and Culture and Recreation Department during 1989, 1990 and 1991, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender, as follows:

"A"			"B"		
Hourly Rate Paid			Benefit Package		
<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1989</u>	<u>1990</u>	<u>1991</u>
\$5.50	\$5.50	\$5.50	\$ .75	\$ .75	\$ .75

"C"			"D"		
Other Costs			Total Hourly Rate for		
<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1989</u>	<u>1990</u>	<u>1991</u>
\$ .95	\$ .99	\$1.03	\$7.20	\$7.24	\$7.28

Above rates are based on the employee being paid a minimum fair wage of \$5.50

**Note:** Lowest of four (4) tenders received. Funds provided in various accounts.

5. That a purchase order be issued to N.D.E. Service Group, Burlington, in the amount of \$15 400 for the non-destructive inspect of Aerial Truck No. 1651 which includes repairs, parts, sandblasting, repainting and reassembling of the aerial ladders.

**Note:** Only supplier available. Funds provided in Repairs and Maintenance, Auto Equipment Account No. CH57105-48005.

6. That a purchase order be issued to Picard Industries Inc., Quebec, in the amount of \$13 766 plus 8% Provincial sales tax, for the supply and delivery of Galvanized 'U' Channel Posts to Purchasing Stores, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

**Note:** Lowest evaluated of five (5) tenders received. Fund provided in Stores Inventory Account No. CH56103-28999.



7. That the City of Hamilton advise the Ontario Legislature's Private Bills Committee that it has no objection to the passage of the Private Bill entitled the Royal Botanical Gardens Act, 1988.

**Note:** The purpose of this Bill is to update the Legislation to reflect the existing make-up of the Board and its current operations.

Section 6 of the Bill provides that the lands of the Royal Botanical Gardens occupied and used for their purposes would be exempt from taxes for Municipal and school purposes other than local improvements. This would be a continuation of the existing arrangements whereby the Royal Botanical Gardens is already exempt from taxation under Section 3 of the Assessment Act.

8. That the Summary Report attached hereto as APPENDIX "A" containing an amount of an approved Settlement of Claim be received in accordance with established policy.

Respectfully Submitted,

ALDERMAN W. M. McGULLOCH, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1989 March 07

mjw

03/14/89

APPENDIX "A" as referred to  
in Section 8 of the SIXTH  
Report of the Finance Committee

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Elizabeth Taunton	City of Hamilton	Trip and Fall 1986 December 12	\$1 000

## REPORT OF HIS WORSHIP MAYOR ROBERT M. MORROW

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Mayor presents his FIRST Report for 1989 and respectfully recommends:

1. For the information of the members of City Council, the following persons constitute the Executive Committee of the Mayor's Race Relations Committee for the duration of this Council's term of office:

CO-CHAIRMEN:

Mayor Robert M. Morrow  
Professor Harish Jain

MEMBERS:

Mr. Jesse Malik  
Mr. Nirmal Takhar  
Mrs. Evelyn Auchinvole  
Mr. Peter Shebib  
Mrs. Doris Skorpik

RESOURCE PERSONS:

Regional Social Services  
Planning Department

Fire Department  
Hamilton-Wentworth Regional Police

Hamilton-Wentworth Roman Catholic  
Separate School Board  
Hamilton Board of Education  
Human Rights Commission  
Human Resources Department  
Mayor's Executive Assistant

Ms. Norma Walsh  
Mr. Victor Abraham  
Mr. Alex Georgieff  
Chief Len Saltmarsh  
Inspector Terry Sullivan  
Sgt. Jorge Lasso

Mr. Michael Webber  
Mr. Steve Barrs  
Mr. Saleem Yacoub  
Mr. Nab Pooni  
Mr. Dennis Carson

EX-OFFICIO MEMBERS:

Alderman Mary Kiss  
Alderman Geraldine Copps  
Alderman Dominic Agostino  
Alderman Tom Jackson



03/14/89

2. That Council representation from the Mayor's Race Relations Committee be authorized to attend the Federation of Canadian Municipalities Municipal Race Relations Symposium to be held in Montreal, Quebec from March 17 - 19, 1989.

NOTE: For the information of members of City Council, sufficient funds are available in the Race Relations Account to cover the cost.

For the further information of members of City Council, eight citizen members of the Mayor's Race Relations Committee will be attending this conference. A portion of the costs for their attendance is being absorbed by F.C.M. with the balance being funded from the Race Relations account.

RESPECTFULLY SUBMITTED

MAYOR ROBERT M. MORROW  
CO-CHAIRMAN  
MAYOR'S RACE RELATIONS  
COMMITTEE

Stella Glover, Secretary

1989 February 22  
/jc

REPORT OF THE NOMINATING COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Nominating Committee presents its SIXTH  
Report for the year 1989 and respectfully recommends:

1. Approval of the appointment of the following to the Municipal  
Non-Profit (Hamilton) Housing Corporation:

Mr. Franco D'Amico  
Mr. Anthony Harper  
Ms. Ellen Howard  
Mr. Robert Kronas  
Mrs. Anne Kuszczak  
Ms. Mary Santarelli

Term of office expires November 30, 1991.

Respectfully submitted,

MAYOR R. M. MORROW,  
CHAIRMAN.

March 14, 1989.

MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, MARCH 23, 1989  
11:00 O'CLOCK, A.M.

URBAN MUNICIPAL

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

GOVERNMENT DOCUMENTS

Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Smith, Jackson, Merling, Gallagher,  
Ross, Murray.

The Clerk called the meeting to order.

This was a Special Meeting of City Council called to deal with the 1989 Current Budget and to set the 1989 City of Hamilton mill rate.

Council had before it the following recommendation including support material from the City Treasurer under date of March 22, 1989:

"That the 1989 Revenue and Expenditure Estimates for the City of Hamilton be approved in the amount of \$147,542,800 and based on these revenues and expenditures the residential mill rate be established at 96.0120 and the non-residential at 112.9553 which represents a 9.4% increase over 1988.

\*\*\*\*\*

It was moved by Alderman McCulloch and seconded by Alderman Drury

Resolved: That Rule No. 8 of Procedural By-law 82-203 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the 1989 Current Budget Estimates

Yeas: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15

Nays: 0 (carried)

\*\*\*\*\*



It was moved by Alderman Christopherson and seconded by Alderman McCulloch

Resolved: That Package No. 3 "Building Department" in the amount of \$47 580. be deleted and that Package No. 140 "Building Department" in the revised amount of \$47 580. be inserted in lieu thereof.

Yeas: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15

Nays: 0 (carried)

\*\*\*\*\*

It was moved by Alderman Kiss and seconded by Alderman Copps

Resolved: That all new positions except those mandated by law be cut from the budget.

Yeas: Aldermen Kiss and Copps. - 2

Nays: Mayor Morrow, Aldermen Cooke, McCulloch, Hinkley, Drury, Christopherson, Agostino, Smith, Jackson, Gallagher, Ross, Murray. - 12 (lost)

\*\*\*\*\*

It was moved by Alderman Christopherson and seconded by Alderman Jackson

Resolved: That the percentage increase for the 1989 Revenue and Expenditures Estimates be reduced from 9.4% to 8.9% and that the money be found in the maintenance budget.

Yeas: Mayor Morrow, Aldermen Cooke, McCulloch, Hinkley, Drury, Christopherson, Smith, Jackson, Merling. - 89

Nays: Aldermen Kiss, Copps, Agostino, Gallagher, Ross, Murray  
- 6 (carried)

\*\*\*\*\*

It was moved by Alderman Drury and seconded by Alderman McCulloch

Resolved: That the 8.9% budget decrease from 9.4% be determined by decreasing funding from the Reserve Account of \$250 000 and a reduction of operating expenditures by \$250 000.

Yeas: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Christopherson, Smith, Jackson, Merling, . - 7

Nays: Aldermen Kiss, Hinkley, Copps, Agostino, Gallagher, Ross, Murray - 7 (lost)

\*\*\*\*\*

It was moved by Alderman Jackson and seconded by Alderman Gallagher

Resolved: That Package No. 119 "City Solicitor" be adjusted to provide for an appropriation of \$45 440 as recommended by the Personnel Committee.

Yeas: Aldermen Kiss, Hinkley, Copps, Agostino, Jackson, Gallagher, Murray. - 7

Nays: Mayor Morrow, Aldermen Cooke, McCulloch, Drury, Christopherson, Smith, Ross. - 7 (lost)

\*\*\*\*\*

It was moved by Alderman McCulloch and seconded by Alderman Drury

Resolved: That the funding required to reduce the mill rate increase from 9.4% to 8.9% be realized as follows:

- (a) \$230 885. from the Contingency Account
- (b) \$230 885. from Reserves

Yeas: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 16

Nays: 0 (carried)

\*\*\*\*\*

It was moved by Alderman McCulloch and seconded by Alderman Drury

Resolved: That the 1989 Revenue and Expenditure Estimates for the City of Hamilton be approved in the amount of \$147 430 420 and based on these revenues and expenditures the residential mill rate be established at 95.5672 and the non-residential at 112.4320 which represents a 8.9% increase over 1988.

Yeas: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Christopherson, Agostino, Smith, Jackson, Gallagher, Ross, Murray. - 13

Nays: Alderman Copps - 1 (carried)

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Kiss

Resolved: That leave be granted to introduce the following Bill:

Bill A-12: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton

Yeas: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15

Nays: 0 (carried)

It was moved by Alderman Cooke and seconded by Alderman Kiss

Resolved: that Bill No. A-12 be now read a first time.

Bill No. A-12 was then read a first time.

Yeas: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Smith, Jackson, Merling, Gallagher, Ross, Murray. - 15

Nays: 0 (carried)

\*\*\*\*\*



It was moved by Alderman Cooke and seconded by Alderman Kiss

Resolved: That Bill A-12 be now read a second time.

Bill No. A-12 was then read a second time.

Yeas: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury,  
Copps, Christopherson, Agostino, Smith, Jackson, Merling,  
Gallagher, Ross, Murray. - 15

Nays: 0 (carried)

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss

Resolved: That Bill No. A-12 be now read a third time, signed, sealed and  
enrolled as a By-law and numbered 89-97

Bill No. A-12 was then read a third time.

Yeas: Mayor Morrow, Aldermen Cooke, Kiss, McCulloch, Hinkley, Drury,  
Copps, Christopherson, Agostino, Smith, Jackson, Merling,  
Gallagher, Ross, Murray. - 15

Nays: 0 (carried)

\*\*\*\*\*

City Council adjourned at 1:15 o'clock, p.m.

\*\*\*\*\*



MEETING OF HAMILTON CITY COUNCIL  
TUESDAY, MARCH 28, 1989  
7:30 O'CLOCK, P.M.

The Council met.

PRESENT: Robert M. Morrow, Esq., Mayor

Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps,  
Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher,  
Ross, Murray.

His Worship Mayor Robert M. Morrow called the meeting to order.

Father Ken Patterson, St. Michael's Anglican Church, led the Council in prayer.

His Worship Mayor Robert M. Morrow read the following Proclamations:

- (i) "KEEP HAMILTON CLEAN WEEK" - May 1 - 7, 1989
- (ii) "CALL BUD WEEK" - April 3 - 10, 1989
- (iii) "TORNADO AWARENESS DAY" - April 7, 1989

His Worship Mayor Robert M. Morrow presented Certificates of Recognition to former members of the following Civic Committees and Boards:

- (i) Task Force on Student Housing
- (ii) Task Force to Review the Mandate and Structure of the Hamilton Harbour Commission

The minutes of the meeting March 14, 1989, were taken as read and approved.

\*\*\*\*\*

The following communications were received and forwarded to the appropriate Committee, except as indicated:

1. Application from 698775 Ontario Inc., Mr. A. Clarke, 10 Crawford Court, Dundas, Ontario, for a modification to the zoning, property located at 64 Fairholt Road South and 85 Dunsmure Road, dated March 14, 1989.
2. Application from 642388 Ontario Inc., Mr. L. S. Harbottle, 194 Chesley Street, Hamilton, Ontario, for a change in zoning, property located in the area north of Stone Church Road West, dated March 15, 1989.
3. Application from Mr. William Schinkel, 132 Stone Church Road West, Hamilton, Ontario, for a change in zoning, property located at 132 Stone Church Road West, dated March 15, 1989.



4. Application from Messrs. Gumiero and Pupi, 362 Old Guelph Road, Dundas, Ontario, for a further modification to the zoning, property located at 240-244 Quigley Road, dated March 15, 1989.
5. Application from Mahabir Homes Limited, Unit 74-1350 Garth Street, Hamilton, Ontario, for a change in zoning, property located at 272-288 Limeridge Road East, dated March 21, 1989.
6. Letter dated March 28, 1988 from Solicitor's - City Legal Department  
Re: March 22, 1989 Personnel Committee meeting.

\*\*\*\*\*

It was moved by Alderman Cooke, seconded by Alderman Kiss and carried, that Council move into Committee of the Whole to consider the following Reports, with Alderman Murray in the chair.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 16

NAYS: 0 (carried)

\*\*\*\*\*

(A) CO-ORDINATING COMMITTEE - SEVENTH REPORT.

Recorded Vote on Section 4

YEAS: Mayor Morrow, Aldermen Cooke, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 14

NAYS: Aldermen Kiss, Agro - 2 CARRIED.

\*\*\*\*\*

(B) TRANSPORT AND ENVIRONMENT COMMITTEE - SEVENTH REPORT

It was moved by Mayor Morrow, seconded by Aldermen Lombardo that sub-section (e) (ii) of Section 4 of the Seventh Report of the Transport and Environment Committee be amended by deleting the figure "\$10.00" before the words "per square foot" in the first line and substituting in lieu thereof the figure "\$6.00" and further by deleting the figure "\$200.00" before the words "per square foot" in the second line and by substituting in lieu thereof the figure "\$120.00"

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Lombardo, Smith, Jackson, Gallagher, Murray. - 9

NAYS: Aldermen Kiss, Hinkley, Drury, Copps, Christopherson, Agostino, Ross. - 7 (carried)

\*\*\*\*\*

It was moved by Alderman Christopherson, seconded by Alderman Lombardo that Section 4 as amended of the Seventh Report of the Transport and Environment Committee, be referred back. (carried)

\*\*\*\*\*

(C) PARKS AND RECREATION COMMITTEE - EIGHTH REPORT

Recorded Vote on Section 1

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Gallagher, Ross, Murray. - 14

NAYS: Aldermen Smith, Jackson. - 2 (carried)

\*\*\*\*\*

It was moved by Alderman Kiss, seconded by Alderman Agro

RESOLVED: That Audell Schimmel be commended for her outstanding work and leadership on behalf of the City of Hamilton. (carried)

\*\*\*\*\*

(D) PLANNING AND DEVELOPMENT COMMITTEE - EIGHTH REPORT

Recorded Vote on Section 17:

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. 15.

NAYS: Alderman Copps. - 1 (carried)

\*\*\*\*\*

(E) LEGISLATION COMMITTEE - SIXTH REPORT

\*\*\*\*\*

(F) PERSONNEL COMMITTEE - FOURTH REPORT

Recorded Vote on Section 6

YEAS: Mayor Morrow, Aldermen Cooke, Agro, McCulloch, Hinkley, Drury, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 14.

NAYS: Aldermen Kiss, Copps. - 2 (carried)

\*\*\*\*\*

(G) FINANCE COMMITTEE - SEVENTH REPORT

\*\*\*\*\*

(I) INFORMATION SYSTEMS COMMITTEE - REPORT 3-89

\*\*\*\*\*

It was moved by Alderman McCulloch, seconded by Alderman Hinkley

RESOLVED: That Alderman T. Cooke be appointed Acting Mayor for the month of April, 1989 (carried)

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the reports of the Committee of the Whole on the reports be the same, now be adopted.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 16

NAYS: 0 (carried)

\*\*\*\*\*



It was moved by Alderman Cooke, seconded by Alderman Kiss

RESOLVED: that the following Bills be now read a first time.

A-11

B-42, B-43, B-44, B-45, B-46

D-37, D-38, D-39, D-40. (carried)

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 16

NAYS: 0 (carried)

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss and carried, that Council move into the Committee of the Whole (second reading) to consider the following Bills, with Alderman Murray in the chair.

A-11

B-42, B-43, B-44, B-45, B-46

D-37, D-38, D-39, D-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 16

NAYS: 0 (carried)

\*\*\*\*\*

Consideration of the Bills (second reading)

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: That the report of the Committee of the Whole on the following Bills:

A-11

B-42, B-43, B-44, B-45, B-46

D-37, D-38, D-39, D-40.

be, and the same is hereby adopted.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 16

NAYS: 0 (carried)

\*\*\*\*\*

It was moved by Alderman Cooke and seconded by Alderman Kiss

RESOLVED: that the following Bills be now read a third time, signed, sealed and enrolled as By-laws.

A-11

B-42, B-43, B-44, B-45, B-46

D-37, D-38, D-39, D-40.

YEAS: Mayor Morrow, Aldermen Cooke, Kiss, Agro, McCulloch, Hinkley, Drury, Copps, Christopherson, Agostino, Lombardo, Smith, Jackson, Gallagher, Ross, Murray. - 16

NAYS: 0 (carried)

\*\*\*\*\*

City Council adjourned at 9:15 o'clock p.m.

\*\*\*\*\*

## REPORT OF THE CO-ORDINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Co-ordinating Committee presents its SEVENTH Report for 1989 and respectfully recommends:

1. That any Members of City Council authorized to attend the 1989 FCM Conference being held in Vancouver, British Columbia, also be authorized to attend the FCM Pre-Conference Workshop on June 9, 1989 re "Evaluating Your Chief Administrative Officer".
2. That the Health Building site on the north side of Hunter Street between Hughson Street South and James Street South be designated for future parking to service the GO Terminal at the T.H. & B. site and the James Street South area.
3. That the Parking Authority be requested to investigate the possibility of obtaining Provincial funding to assist in providing GO Terminus parking.
- \*4. That Hamilton City Council initiate meetings with Burlington City Council on harbour related matters.

NOTE: The City of Burlington stands on almost one-third of the harbour shoreline, its territory seeming to end at the water's edge.

The Hamilton Harbour Commissioners has as one of its three members a commissioner who, while not formally representing the City of Burlington, nevertheless resides and carries on business there. There is at present no formal consultative arrangement between the City of Hamilton and its neighbour municipality with regard to the harbour.

The 1974 Halton/Wentworth Waterfront Study urged recognition of Halton as "an equal partner in harbour decisions", and that a Joint Committee on Landfill and Water Quality be set up, comprised of representatives of the Regional Municipalities of Halton and Wentworth.

For the information of City Council, the above recommendation is contained in the Report of the Task Force to Review the Mandate and Structure of the Hamilton Harbour Commissioners which was received by City Council at its meeting on February 28, 1989 and referred to the appropriate standing committees for review and recommendations back to City Council.

\* Recorded vote, see page 443



5. That the increase in gross cost of \$4 000 from \$349 000 to \$353 000 for the Hamilton Place roof be financed from the H.E.C.F.I. Reserve, Account No. RF 51206 25306.

NOTE: For the information of the Members of City Council, the additional cost is as a result of the necessity for the contractor to relocate, at the City's request, the tar kettle used in connection with this project on two separate occasions.

The HECFI Board approved this additional expenditure at its meeting on March 17, 1989.

6. That the additional City's Share of Services to be installed in "Park Plaza Estates - Phase 2" in the gross amount of \$4 655 referred to in Section 7 of the SEVENTH Report of the Transport and Environment Committee be financed from the "Reserve for City's Share of Services Through Unsubdivided Lands", Account No. RF 59003 25207.
7. That leave be granted to introduce the following Bill:

Bill A-11	A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton.
-----------	--

RESPECTFULLY SUBMITTED

MAYOR R. M. MORROW  
CHAIRMAN  
CO-ORDINATING COMMITTEE

J. J. Schatz  
Secretary  
1989 March 23

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SEVENTH Report for 1989 and respectfully recommends:

1. (a) That an Offer to Purchase a one foot reserve on Templemead Drive, executed on March 9, 1989 by Anthony Giammichele and Peter Giammichele and scheduled to close on May 22, 1989 be approved and completed.

NOTE: The property, which is surplus to roadway requirements, is a one foot strip of land along the easterly limits on Templemead Drive, containing 2.54 square metres (27.38 square feet) and is shown as Part 3 on Plan 62R-9708. The purchase price is One Dollar (\$1.00).

- (b) That an Offer to Purchase a one foot reserve on Templemead Drive executed on March 9, 1989 by Peter Giammichele and scheduled to close on March 22, 1989 be approved and completed.

NOTE: The property, which is surplus to roadway requirements, is a one foot strip of land along the easterly limits of Templemead Drive, containing 3.59 square metres (38.62 square feet) and is shown as Part 5 on Plan 62R-9708. The purchase price is One Dollar (\$1.00).

- (c) That an Offer to Purchase a one foot reserve of City owned land on Templemead Drive executed on March 9, 1989 by Anthony Giammichele, and scheduled to close on or before March 22, 1989, be approved and completed.

NOTE: The property which is surplus to roadway requirements, is a one foot strip of land along the easterly limits of Templemead Drive, containing 3.45 square metres (37.16 square feet) and is shown as Part 7 on Plan 62R-9708. The purchase price is One Dollar (\$1.00).

2. (a) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Part 2, Plan 62R-6969 into Independence Drive.
- (b) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Block 44 (0.30m Reserve), plan 62M-494 into Marisa Court.
- (c) That the City Solicitor be authorized and directed to prepare a By-law to incorporate Part 4, Plan 62R-6969 into Templemead Drive.

3. That the local Approval Branch of the Ontario Ministry of the Environment be informed that:

- (a) The City of Hamilton has no objection to Rondar Inc. carrying out the destruction of low level PCBs for Hamilton Street Railway at its 18 Wentworth Street North and 154 Kenilworth Avenue North locations in Hamilton provided that all environmental safeguards normally associated with this type of activity are implemented to the satisfaction of the Ministry, and that all applicable City of Hamilton and Regional By-laws are complied with fully.
- (b) No Specific City of Hamilton or Regional permits are required for the work proposed by Rondar Inc.
- (c) That if provision has not been made by the Ministry of the Environment to advise the area residents of the proposed work to be carried out at the 154 Kenilworth Avenue Site by Rondar Inc., Rondar Inc. will undertake to make the necessary notifications of area residents.
- (d) The 30 day notification period that is normally required after a Certificate of Approval is issued be waived so that the proposed work can be carried out as scheduled.

- \*4. (a) That the City Solicitor be directed to prepare a By-law for the stopping up and leasing of a portion of the east side of MacNab Street South of King Street West;
- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act, R.S.O. 1980, of City Council's intention to pass the By-law;
- (c) That the applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, to delineate the manner in which the stopped up street is to be leased, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;
- (d) That the Commissioner of Engineering be directed to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed stopping up pursuant to Section 48 of The Regional Act; and

\* Section 4 referred back as amended



(e) That the City Solicitor be directed to prepare the necessary lease agreement between the City and Dominion Realty Limited to include the following terms:

i. the term of the lease to be 20 years.

\*

ii. the annual fee to be set at \$10 per square foot (being 10% of 50% of market value at \$200 per sq.ft.) of area to be used for two levels of parking (approximately 1650 square feet), and no annual fee for the area to be used for loading and access to the truck tunnel (approximately 3310 square feet), plus taxes if applicable;

iii. the owner to indemnify and save the City harmless from all actions arising from the granting of the lease;

iv. the owner to provide public liability insurance to the satisfaction of the City Clerk naming the City as an additional insured party;

v. the owner to maintain the ground level of the leased area open to the general public and in a condition to the satisfaction of the Commissioner of Engineering.

(f) That the City Solicitor be directed to prepare and submit an application to the Ontario Municipal Board for the approval of the lease in as much as the term extends beyond the term of Council.

(g) That the Mayor and City Clerk be authorized to execute the lease in a form satisfactory to the City Solicitor.

(h) That the applicant make satisfactory arrangements with Bell Canada, Hamilton Hydro and the Region for the relocation of underground utilities.

(i) That the Director of Property be directed to negotiate the appropriate amendments to the Truck Tunnel Agreement at no additional expense to the City, and the Mayor and City Clerk be authorized to execute the amending agreement in a form satisfactory to the City Solicitor.

5. That the resolution granted to the City of Hamilton Public Works Department on December 13, 1988, in adopting Item 16(c) of the 1st Report of the Transport and Environment Committee which permitted a banner display application, be amended by substituting the date of Monday, December 18, 1989 to Monday, January 1, 1990 instead of Monday, December 11, 1989 to Monday, December 25, 1989.

\* Section 4 (e) ii. amended, see page 457

6. That the request to close Hunter Street West, from Bay Street to Hess Street, Hess Street South from Hunter Street to Main Street and Aberdeen Avenue from Queen Street to Bay Street, from 12:00 noon to 5:00 p.m. on Monday, August 7, 1989 in order that Scattolon Cycle International may hold a bicycle race, be approved during the pleasure of City Council provided:
  - (a) That the Council of the Region of Hamilton-Wentworth approve the proposal;
  - (b) That the applicant receive "Temporary Street Closure Application" approval from the Regional Police Department, Traffic Division, and that all barricading, detour signing and traffic control will be subject to the direction of the Regional Police Department, and at the expense of the organizing group;
  - (c) That advance temporary road closure signs be installed one week in advance by the City of Hamilton, Traffic Department, on the affected roadways and at the expense of the organizing group;
  - (d) That the applicant ensure that clean-up operations will be carried out immediately before the re-opening of the roads, at no cost to the City;
  - (e) That the applicant provide proof of \$1 000 000 public liability insurance, naming the City as an added insured party with a provision for cross liability and holds the City harmless from all actions, causes of actions, interests, claims, demands, costs, damages, expenses and loss;
  - (f) That the applicant reimburse the Regional Police, Department of Engineering, City of Hamilton, Traffic Department and any other agency for any costs incurred by these agencies as a result of this event.
  - (g) That no property owner or resident within the barricaded area will be denied access to their property upon request.
  - (h) That all property owners and tenants along the closed portion of the route be notified of the bicycle race by the applicant at least four weeks prior to the event in a form acceptable to the Commissioner of Engineering.

7. (a) That the City's share for cost of sewer and water services, curbs, sidewalks, final roads and fencing for "Park Plaza Estates - Phase 2" be increased by \$4 655 to \$43 504.
- (b) That the Co-ordinating Committee recommend the source of funding for these costs.
8. (a) That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of East 5th Street commencing at a point 101 feet south of Brucedale Avenue East and extending at a point 46 feet southerly therefrom be relocated to the south side of Brucedale Avenue East commencing at a point 77 feet west of East 5th Street and extending to a point 46 feet westerly therefrom; and
- (b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Franklin Road commencing at a point 32 feet west of the west projected curb line of East 28th Street and extending to a point 80 feet westerly therefrom; and
- (c) That City Traffic By-law 66-100 be amended accordingly.
9. (a) That a "No Parking" regulation be implemented on the west side of the east leg of Clifton Downs Road between Bonaventure Drive and the north curb line of the south leg of Clifton Downs Road; and
- (b) That a "No Parking" regulation be implemented on the north side of the south leg of Clifton Downs Road commencing at the west curb line of the east leg of Clifton Downs Road and extending to a point 118 feet westerly therefrom; and
- (c) That the "No Parking" regulation on the north side of Dunsmure Road commencing 72 feet east of Garfield Avenue and extending to a point 85 feet easterly therefrom be removed; and
- (d) That a "No Parking" regulation be implemented on the west side of Allenby Avenue commencing at the north end and extending to a point 49 feet southerly therefrom; and
- (e) That parking be prohibited on the west side of Glenvista Drive between Brookstream Court and Greenhill Avenue; and
- (f) That the existing "No Parking" regulation on the south side of Heather Road between Woodman Drive and Sunrise Drive be removed; and
- (g) That City Traffic By-law 66-100 be amended accordingly.



10. That crosswalks be painted across the north and west approaches to the intersection of Rainbow Drive and Glen Echo Drive.
11. (a) That three-way stop control be implemented at the intersection of Berkindale Drive and Federal Street; and  
(b) That City Traffic By-law 66-100 be amended accordingly.
12. (a) That the existing residential boulevard parking agreement between the City and Wallace Frederick Rowe and Verna Agnes Rowe, registered as Instrument No. 423016 C.D. to the property at 624 Tate Avenue, be discharged at the property owner's expense; and  
(b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of this agreement.
13. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit to each of the first 16 applicants residing in the building at No. 781-785 King Street East.
14. (a) That the existing eastbound and westbound curve warning signs on King Street, west of Bond Street be replaced with larger signs; and  
(b) That reflectors be placed in the road surface along the centre line of King Street West on the curve immediately west of Bond Street.
15. That the Chairman of the Transport and Environment Committee or his nominee be authorized to attend the Roads and Transportation Association of Canada Symposium on "The Political Response to Road Infrastructure Needs" which will be held on 1989 April 12 and 13 at the Sheraton Hotel and the Hamilton Convention Centre.
16. (a) That environmental impact be a part of the planning process of any new project or development in the Harbour.  
(b) That all works undertaken by the Harbour Commissioners meet the requirements of and be subject to, the Provincial Ministry of the Environment and Environment Canada standards.

- (c) That once a determination has been made on the question of sediments on the harbour floor, a decision be made as to who is responsible for any action and who pays.
17. (a) That the City Solicitor be authorized and directed to make an application to the District Court Judge under Section 82 of the Registry Act, R.S.O. 1989, for an order to stop up and close the North/South alley south of Dunsmure Road between Melrose Avenue South and Prospect Avenue South;
- (b) That the City Solicitor be authorized and directed to prepare and register the necessary deed in favour of the abutting owners under Section 57 of The Surveys Act, R.S.O. 1980;
- (c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the alley to be closed;
- (d) That documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court;
- (e) That the Applicant register a reference plan under The Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor;
- (f) That the Commissioner of Engineering be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of The Regional Municipality of Hamilton-Wentworth Act;
- (g) That the Director of Property be authorized to proceed with the disposition of the subject lands to the abutting owners; and
- (h) That the abutting owners provide a 1m easement to Bell Canada with respect to their underground and/or aerial plant.
18. That leave be granted to introduce the following Bills:
- (a) B-42 By-law respecting construction of local improvements of a concrete sidewalk on the east side of Sanatorium Road between Scenic Drive and Bendamere Avenue.

- (b) B-43 By-law to close and retain Old Nash Road between Brampton Street and Nash Road, being Part 2 on Plan 62R-9679.
- (c) B-44 By-law to reconstruct portions of Caroline Street, East 16th Street, and Newlands Avenue.
- (d) B-45 By-law to amend By-law 66-100 to Regulate Traffic.
- (e) B-46 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

1989 March 20

/lp

\* Section 4 (e) ii. amended to read:

- 4. (e) ii. the annual fee to be set at \$6 per square foot (being 10% of 50% of market value at \$120 per sq. ft.) of area to be used for two levels of parking (approximately 1650 square feet), and no annual fee for the area to be used for loading and access to the truck tunnel (approximately 3310 square feet), plus taxes if applicable;

Recorded vote on Section 4 (e) ii. as amended, see page 443

Section 4 referred back as amended



## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Parks and Recreation Committee presents its EIGHTH Report for 1989 and respectfully recommends:

- \*1. That Item 5 of the SEVENTH Report of the Parks and Recreation Committee which dealt with the granting of permission to the Hamilton Polonia Soccer Club to sell beer and food during their soccer tournament at Mohawk Sports Park May 20-22, 1989, be amended by adding the following as subsection (e):
  - (e) That beer be sold in an enclosed tent, located on the east side of the park at a location suitable to Parks Division.
2. That staff work with Mr. Terry Stokoe and lend support to his proposal of staging a one-day showcase event at Ivor Wynne Stadium for the purpose of meeting and adopting the Hamilton Tiger Cats.

NOTE: Mr. Stokoe is the principal of Stinson Street School and is responsible for a Board of Education public relations project known as "UP" or "Urban Pride". This project would involve children from grades 1 through 13 in an attempt to "heighten awareness of and instill pride in Hamilton...".

3. That the proposal by Victoria Park Homes Management requesting that they be permitted to make landscape improvements to the City owned park located at the corner of York and Oxford Street in conjunction with the landscape plan for their property, be approved under the following terms and conditions:
  - (a) The design, construction and installation of paths, benches and garbage containers be satisfactory to staff of the Parks Division (Public Works).
  - (b) Victoria Park Homes will be responsible for grounds maintenance of the Park including grass cutting and garbage removal.

NOTE: The Landscape proposal for the park involves: the removal of an old fence and plant materials of non-horticultural value; the installation of park benches and garbage containers; the installation of asphalt and stone dust paths; and, tree planting.

\* Recorded vote, see page 444

4. That permission be granted the Hamilton and District Ladies Industrial Softball League to sell beer and food during the occasion of their softball tournament, scheduled for Globe Park, commencing May 26 to May 28, 1989, under terms and conditions which include the following:
- (a) That proof of \$2 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as additional insured, be provided.
  - (b) That the applicant meet all requirements of the Liquor Licence Board of Ontario for issuance of a Special Occasion Permit.
  - (c) That the Concessionaire be contacted to make the necessary arrangements for the provision of food.
  - (d) That the applicant assume responsibility for all labour related costs as a result of this event.
  - (e) That Special Duty Officers, as may be deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicants expense.

NOTE: Approval is required pursuant to Parks By-Law 77-221.

5. That a grant application be made to the Heritage Branch of the Ministry of Culture and Communications under the Cultural Facilities Improvement Programme to provide financial assistance to carry out a Long Range Development Plan for the Children's Museum.

NOTE: The amount requested from the Ministry of Culture and Communications is \$11 875.

6. That the following improvements to Scott Park be implemented:
- (a) Reduce infield area on three diamonds and sod complete outfield area.
  - (b) Remove fence along Melrose and replace it with a bermed area planted with Austrian Pine and Colorado Spruce.
  - (c) Remove and replace King Street fence.
  - (d) Replace existing gate on Melrose and install new gate at North East corner.
  - (e) Replace shuffleboard (unused area ) with passive sitting area for students and residents.

7. That a purchase order be issued to Connon Nurseries Ltd., Waterdown, in the amount of \$54 495 plus Provincial sales tax at 8%, for the supply and delivery of various trees for the Parks Division, Public Works Department, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest acceptable of four (4) tenders received. Funds provided in Stock Bare Root Trees Account No. CH56197 60999.

8. (a) That approval be given to implement the improvements at Carter Park recommended by the Corktown/Stinson Neighbourhood Association and outlined in a conceptual plan of the Priority One Park (Carter Park) prepared by F. Basciano, Landscape Architect; and
- (b) That additional funding in the amount of \$128 000, required over and above the balance of \$120 000 in remaining O.N.I.P. funds, be derived from the Parks Dedication Fund to finance this project.
9. That without prejudice to other matters under way, the City of Hamilton and the Hamilton Harbour Commissioners establish clearly and with all dispatch the West Harbour as an area for public waterfront and open space use.

RESPECTFULLY SUBMITTED,

Robert C. Prowse,  
Secretary

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

1989 March 21

/lp



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its EIGHTH Report for 1989 and respectfully recommends:

1. That the Building Commissioner BE AUTHORIZED to issue a demolition permit for the following property:  
  
(a) 82 Colbourne Street.
2. (a) That the 1989 Operating Budget of the Jamesville B.I.A. BE APPROVED in the amount of twenty-nine thousand, six hundred and twenty dollars (\$29,620.); and,  
  
(b) That the City Solicitor BE HEREBY AUTHORIZED and directed to prepare the requisite By-law pursuant to Section 217, The Municipal Act, R.S.O., 1980, to levy the 1989 Budget as reference in (a) above; and,  
  
(c) That the Schedule of Payments for 1989 be as follows:  
  

\$15,000.	May
\$ 7,620.	August
\$ 7,000.	November
3. (a) That By-law 87-229, amending By-law 86-212, appointing the International Village B.I.A. Board of Management BE AMENDED to add the following name:  
  

Danny Phillips	Phillips Printing
	318 King Street East

  
(b) That the City Solicitor BE AUTHORIZED and directed to amend By-law 87-229 pursuant to (a) above.

4. (a) That the residential property located at 393 Sherman Avenue North in the Alpha Enclave (West) which was approved for acquisition by City Council on 1987 July 28, BE ACQUIRED THROUGH EXPROPRIATION; and
- (b) That the City Solicitor BE DIRECTED to take the appropriate action; and
- (c) That the City Clerk BE AUTHORIZED and directed to:
- (i) Give Notice of the City's application as expropriating Authority, to all owners, registered owners and tenants (as defined in The Expropriations Act) of the above residential property in the Alpha Enclave (West) that is located within an industrial zone, for approval to expropriate in accordance with Section 34(8) of The Planning Act; and
  - (ii) Advertise the Notice of the City's Application in a newspaper as required by The Expropriations Act; and
  - (iii) Sign and receive the said Application for Approval to Expropriate.
- (d) All related costs to the acquisition and expropriation to BE CHARGED to Account CF 5590 308750001.

NOTE: City Council on 1988 November 8 in adopting Item #4 of the 22nd Report of the Planning and Development Committee, approved the expropriation of all the remaining residential properties required for the Alpha Enclave (West) project.

On 1988 November 16, a negotiated Option to Purchase document covering the purchase of 393 Sherman Avenue North was forwarded to City Council for approval. City Council on 1988 December 13 approved the purchase of same in adopting Item #4 of the First Report of the Planning and Development Committee. Due to title problems, the City Solicitor was unable to complete the purchase of 393 Sherman Avenue North as scheduled on 1988 February 8. The current owner is unable to give the City clear title.

In view of the above, the only method open to the City to acquire this property would be through expropriation.

5. That the firm of Weir & Foulds **BE RETAINED** to assist Mr. D. Powers of the Legal Department in the completion of documentation necessary to finalize the transaction between Lakeview Development Limited and GGS Co. Limited as it pertains to the City of Hamilton's interest in the Sheraton Hotel.

NOTE: For the information of the members of City Council, the Planning and Development Committee at its meeting held Wednesday, 1989 March 15, directed the Chief Administrative Officer to provide a report to them on the current status of the Sheraton Hotel transfer of ownership. The Committee also requested that an investigation be undertaken on the possibility of Lakeview being required to pay back a portion of amounts they have earned over the years (Capital gains), as a partial result of up-front funds paid by the City to Lakeview at the inception of the Sheraton Hotel project for such consideration as parking.

When this report is presented to the Planning and Development Committee, all members of City Council will be invited to attend.

6. That the City pay the sum of \$40,000., plus interest plus legal costs, to settle the expropriation of 14 Market Square.

NOTE: This matter arises out of the City of Hamilton's expropriation of 14 Market Square in 1968. The City's legal consultant at Weir & Foulds has negotiated a settlement of the market value for this expropriation with the former owner's lawyer for (a) \$65,000., minus the \$25,000. paid when the expropriation plan was registered, (b) interest at the rate of 6% from 1968 December 31, (c) plus reasonable legal costs.

7. (a) That the St. Elizabeth Society **BE REQUIRED** to enter into an agreement, to be registered on title of the land, with the City of Hamilton for storm sewer channels located on the lands of St. Elizabeth Village and described as Part 1 of Plan 62R-9910 and Parts 1 to 18 inclusive of Plan 62R-9911. The easement agreement is to be prepared to the satisfaction of the City Solicitor and shall include the following:
- (i) To acknowledge that the Parts described above are recognized as the floodplain;
  - (ii) To acknowledge that the owner of the land shall maintain the watercourse;
  - (iii) To acknowledge that the owner shall not construct or place any buildings or structures within the floodplain;



- (iv) To acknowledge that any improvements by the owner or plantings and landscaping within the floodplain are at the owner's own risk; and,
  - (v) That the owner acknowledge that the drainage design by Parker Consultants, and subsequently constructed, will accommodate the increase in waterflow resulting from upstream development in Hamilton.
- (b) That a Corporate undertaking, under seal, from the St. Elizabeth Society to enter into the above-noted Agreement **BE ACCEPTED**.

**NOTE:** Acceptance of this undertaking will allow the Building Commissioner to issue Building Permits.

8. That the Director of Community Development **BE HEREBY AUTHORIZED** to enter into negotiations with the Ministry of Housing, with the aim of establishing a Provincial/Municipal Housing Agreement.

**NOTE:** The contents of the proposed Agreement will be presented to the Planning and Development Committee and City Council prior to submission to the Province of Ontario.

9. That **APPROVAL** be given to amended Zoning Application 88-104, 779573 Ontario Inc. (Clemente Valeri), owner, for a change in zoning from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District (Block "1"), and from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District (Block "2"), for lands in the area south of Rymal Road East and east of the proposed extension of Upper Gage Avenue, as shown on the attached map marked as **APPENDIX "A"**, on the following basis:

- (a) That the lands described as Block "1" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family detached) District;
- (b) That the lands described as Block "2" be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
- (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-49E for presentation to City Council;
- (d) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for the following changes in zoning of lands located in the area south of Rymal Road East and east of the proposed extension of Upper Gage Avenue.

- (a) Block "1": Change from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.
- (b) Block "2": Change from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District.

The effect of the by-law is to permit development of the subject lands for small lot single-family detached dwellings in accordance with a draft plan of subdivision.

- 10. That APPROVAL be given to amend the draft approved subdivision now owned by Lillian Heights Limited, under Regional File No. 25T-79018, City of Hamilton File No. SA-79-09 by changing condition (a) as follows:

- (a) That this approval apply to the plan prepared by A. J. Clarke and Associates, dated 1987 March 24, revised to show 174 lots, 3 blocks for 58 townhouse units, 2 blocks for 216 medium density apartment units, 10 blocks for development with adjacent land, two blocks for sewer easements, one block for open space purposes, one block as a walkway and five blocks for 0.3m reserves.

- 11. (A) That amended Zoning Application 88-114, Frank Bottega and Jackueline Bottega, owners, requesting a changed in zoning from "L-mr-1" (Planned Development-Multiple Residential) District to "C" (Urban Protected Residential, etc.) District for property located at the rear of 1412 Upper Gage Avenue fronting onto Elmore Drive, as shown on the attached map marked as APPENDIX "B" BE DENIED for the following reason:

- (a) It would be inappropriate to leave the existing single-family dwelling located at 1412 Upper Gage Avenue in the "L-mr-1" (Planned Development-Multiple Residential) District, in that the property is not suitable for inclusion with adjoining lands for planned multiple residential development.

- (B) That APPROVAL be given to amended Zoning Application 88-114, Frank Bottega and Jackueleine Bottega, owners, requesting a change in zoning from "L-mr-1" (Planned Development-Multiple Residential) District to "C" (Urban Protected Residential, etc.) District for property located at 1412 Upper Gage Avenue, as shown on the attached map marked as APPENDIX "C" on the following basis:
- (a) That the subject lands be rezoned from "L-mr-1" (Planned Development-Multiple Residential) District to "C" (Urban Protected Residential, etc.) District;
  - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-38-C for presentation to City Council;
  - (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area;
  - (d) That the Eleanor Neighbourhood Plan be amended by redesignating the subject lands from "Low Density Apartments" to "Single and Double" Residential;
  - (e) The Schedule "B" to By-law No. 79-275, as amended by By-law No. 87-223, respecting Site Plan Control be amended by adding the subject lands thereto and that in this regard, the applicant be required to submit only a grading plan to the satisfaction of the Regional Engineer.

NOTE: The purpose of the By-law is to provide for a change in zoning from "L-mr-1" (Planned Development-Multiple Residential) District to "C" (Urban Protected Residential, etc.) District for property located at 1412 Upper Gage Avenue.

The effect of the By-law is to establish appropriate zoning for the existing dwelling fronting on Upper Gage Avenue, and permit the severance of the rear portion of the property to create a building lot for a single-family detached dwelling fronting onto Elmore Drive.



12.

That APPROVAL be given to an amended Zoning Application 88-105, D. Nocciolino, owner, requesting a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwellings, Townhouses, etc.) District regulations for property at 250 Gibson Avenue North (Block "1"), and a further modification to the "D" District regulations for property at 252 Gibson Avenue North (Block "2"), as shown on the attached map marked as APPENDIX "D", on the following basis:

- (a) That the "D" (Urban Protected Residential - One and Two Family dwellings, Townhouses, etc.) District regulations as contained in Section 10 of Zoning By-law No. 6593, as amended by By-law No. 76-61, applicable to the lands described as Blocks "1" and "2", be modified to include the following variance as a special provision:
  - (i) That notwithstanding Section 10.(1) the following commercial uses shall be permitted:
    - 1. An auto body and fender repair shop within the existing building.
    - 2. A public garage, except that no motor-driven vehicles shall be displayed for sale, bought or sold on the property.
- (b) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-459a, and that the subject lands on Zoning District Map E-21 be notated S-459a;
- (c) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-21 for presentation to City Council;
- (d) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a modification to the established "D" (Urban Protected Residential - One and Two Family Dwellings, Townhouses, etc. ) District regulations for property located at 250 Gibson Avenue North (Block "1"), and a further modification to the "D" District regulations for property at 252 Gibson Avenue North (Block "2").

The effect of the By-law is to permit, in addition to the uses allowed under the "D" District regulations, the following uses:

- (a) The existing auto body and fender repair shop;
- (b) A public garage, except that no motor-driven vehicles shall be displayed for sale, sold or brought on the property.

13. That APPROVAL be given to Zoning Application 88-116, S. Khan, owner, for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, for property at the north-east corner of Quaker Crescent and Queen Victoria Drive, as shown on the attached map marked as APPENDIX "E", on the following basis:

- (a) That the subject lands be rezoned from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
- (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-49B and E-49C for presentation to City Council;
- (c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the by-law is to provide for a change in zoning from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District, for property located at the north-east corner of Quaker Crescent and Queen Victoria Drive.

The effect of the by-law is to permit the subdivision of the subject lands into four lots for small lot single-family dwellings.

14. That APPROVAL be given to Zoning Application 88-125, Chrysler Canada Limited, lessee, for a change in zoning for Block "1", from "HH" (Restricted Community Shopping and Commercial) District, modified to "G-1" (Designed Shopping Centre) District, and Block "2" from "G-1" (Designed Shopping Centre) District to "HH" (Restricted Community Shopping and Commercial) District modified, for property located on the east side of Upper James Street south of Rymal Road East, as shown on the attached map marked as APPENDIX "F", on the following basis:

- (a) That the lands described as Block "1" be rezoned from "HH" (Restricted Community Shopping and Commercial) District, modified to "G-1" (Designed Shopping Centre) District;
- (b) That the lands described as Block "2" be rezoned from "G-1" (Designed Shopping Centre) District to "HH" (Restricted Community Shopping and Commercial ) District, modified;
- (c) That Schedule "A" to By-law No. 88-93 be amended by adding the lands described as Block "2" thereto, and deleting the lands described as Block "1" therefrom;

- (d) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-1071a, and that the lands described as Block "2" be notated as S-1071a on Zoning District Map E-9E;
- (e) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 88-93, and Zoning District Map E-9E for presentation to City Council;
- (f) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

NOTE: The purpose of the By-law is to provide for a change in zoning for a strip of land on the east side of Upper James Street in the area south of Rymal Road East, on the following basis:

- (a) Block 1 - Change in zoning from "HH" (Restricted Community Shopping and Commercial) District, modified to "G-1" (Designed Shopping Centre) District.
- (b) Block 2 - Change in zoning from "G-1" (Designed Shopping Centre) District to "HH" (Restricted Community Shopping and Commercial) District, modified.

The effect of the proposed change in zoning is to permit the re-alignment of the property line to allow a more desirable parking arrangement for the existing restaurant (MacDonald's) to the north and the proposed automobile dealership (Chrysler) to the south.

15. That Zoning Application 88-128, Eric Charles, owner, requesting a modification to the established "D" (Urban Protected Residential - One and Two Family, Townhouses, etc.) District regulations to permit 4 dwelling units in the existing building, for the property located at 189 Oak Avenue, as shown on the attached map marked as APPENDIX "G", BE DENIED for the following reasons:

- (a) It represents an intrusion of a multiple-unit dwelling into an area occupied primarily by one and two-family dwellings;
- (b) It represents an over-intensification of use, in that the property does not meet the minimum lot area requirement for a converted dwelling in a "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District. The minimum lot area requirement is  $270.0\text{m}^2$  (2,906.26 sq.ft.), whereas the property only has  $167.22\text{m}^2$  (1,800.0 sq.ft.) of lot area. Furthermore, the proposed four dwelling units which range in floor area from approximately  $34.6\text{m}^2$  (372.4 sq.ft.) to a maximum of approximately  $45.9\text{m}^2$  (494.1 sq.ft.) do not provide the minimum  $65.0\text{m}^2$  (699.65 sq.ft.) of floor area for a "Class A Dwelling Unit";



- (c) Adequate parking and manoeuvring space cannot be provided for the five off-street parking spaces required for the converted dwelling; and,
- (d) Approval of the application would establish an undesirable precedent and set the stage for other land owners to convert their dwellings for multiple occupancy.

16. (a) That **APPROVAL** be given to Official Plan Amendment No. 72 to redesignate the subject lands from "Utilities" to "Residential", and that the City Solicitor be directed to prepare a by-law to amend the Official Plan for submission to the Regional Municipality of Hamilton-Wentworth.
- (b) That **APPROVAL** be given to Subdivision Application 88-20, City of Hamilton, owner, to establish a draft plan of subdivision on the north side of Mohawk Road East and the east side of Warren Avenue, subject to the following conditions:
- (i) That this approval apply to the plan prepared by the Regional Department of Engineering, dated 1988 September 30, revised to show 24 lots.
  - (ii) That the street be dedicated as public highway on the final plan.
  - (iii) That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - (iv) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - (v) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - (vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - (vii) That the owner shall erect a sign in accordance with Section XI of the subsequent Subdivision Agreement prior to the issuance of a final release by the City of Hamilton.
  - (viii) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton.

- (c) That the subdivision agreement **BE ENTERED** into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-88-20), Corporation of the City of Hamilton, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

\*17.

That Section 9 of the Third Report of the Planning and Development Committee, approved on 1988 February 9, in regard to Zoning Application 87-48, by Bayfield Green development Company, owner of lands at 1400 Upper James Street, **BE AMENDED** as follows:

- (a) To delete clauses (B)(f)(ii)(3) and (4), and add the following clauses in their place:

- (i) (B)(f)(ii)(3)(i) No part of a side or rear yard used for outdoor storage area "A" as shown on Schedule "B", attached herewith and marked as APPENDIX "I", shall be situated less than 9.1 metres from the adjoining westerly lot line, less than 7.6 metres from the adjoining southerly lot line, and less than 3.0m from the adjoining northerly lot line.
- (ii) (B)(f)(ii)(3)(ii) No part of a side yard used for outdoor nursery area "B" as shown on Schedule "B", attached herewith and marked as APPENDIX "I", shall be situated less than 3.0 metres from the adjoining westerly and southerly lot lines, and less than 4.6 metres from the adjoining easterly lot line.
- (iii) (B)(f)(ii)(4) The Total area used for outside storage area "A" as shown on Schedule "B", attached herewith and marked as APPENDIX "I", shall not exceed 19% of the lot area.

- (b) To repeal Schedule "B" and replace it with a new Schedule "B", attached herewith and marked as APPENDIX "H".

**NOTE:** The changes are required to clarify and designate outside storage area "A" and outside nursery area "B" as part of the By-law, and to revise Schedule "B" to show the various features of the development.

\* Recorded vote, see page 444

18. That leave be granted to introduce the following Bills:

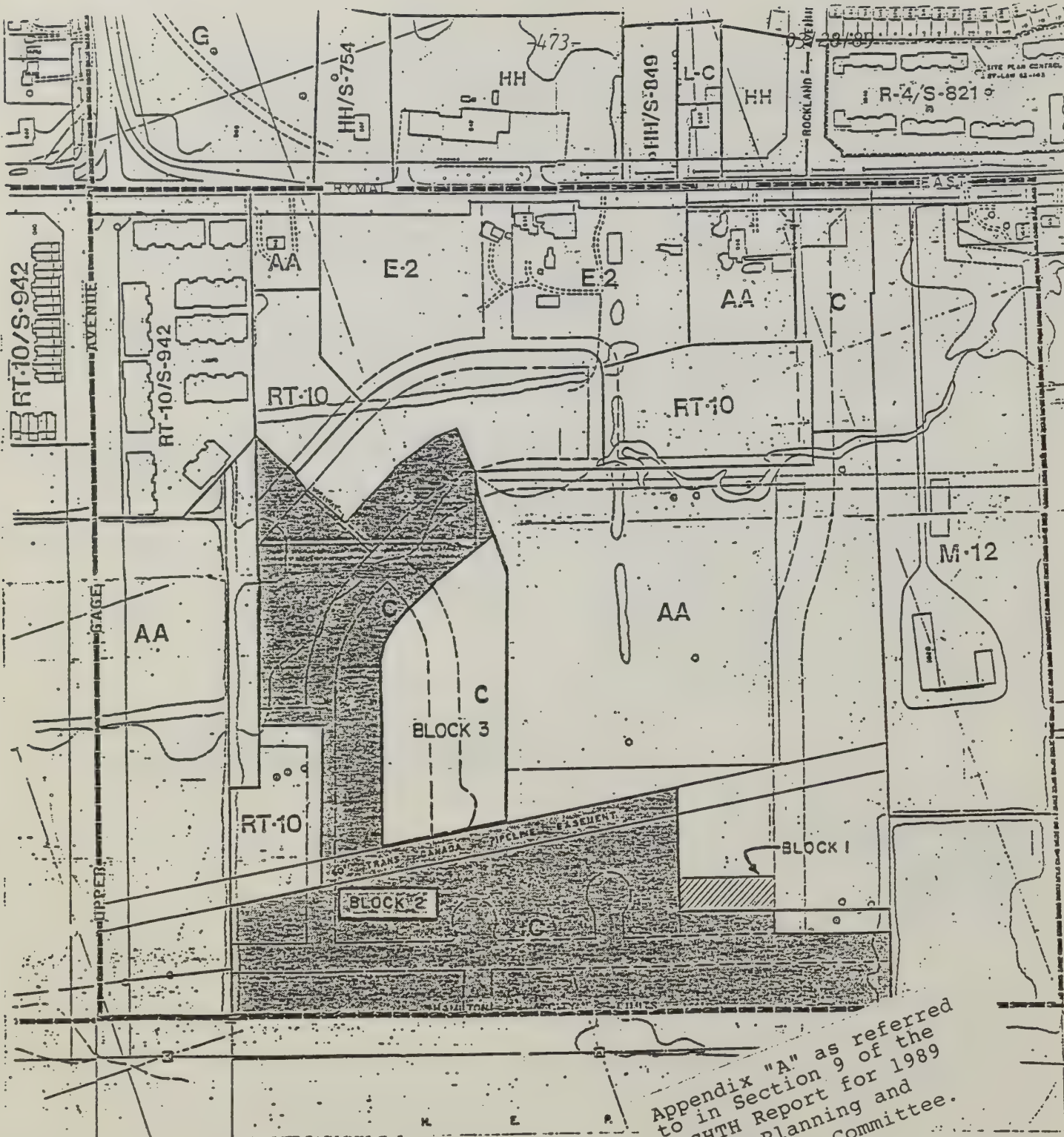
- (a) Bill D-37 A by-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 987 Rymal Road East.
- (b) Bill D-38 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 19 Rymal Road East.
- (c) Bill D-39 A By-law to amend Zoning By-law No. 6593 respecting land located at Municipal No. 101 Folkestone Avenue.
- (d) Bill D-40 A By-law to amend Zoning By-law No. 6593 respecting lands located at part of Municipal Nos. 318 Locheed Drive and 742 Upper Kenilworth Avenue.

Respectfully submitted,

ALDERMAN J. SMITH, CHAIRMAN  
PLANNING AND DEVELOPMENT COMMITTEE

Susan K. Reeder  
Secretary  
1989 March 15





Appendix "A" as referred  
to in Section 9 of the  
EIGHTH Report for 1989  
of the Planning and  
Development Committee.

# Legend

Proposed change in zoning from:



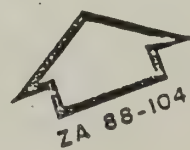
"AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.



"C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single-Family Detached) District.



No change



-474-



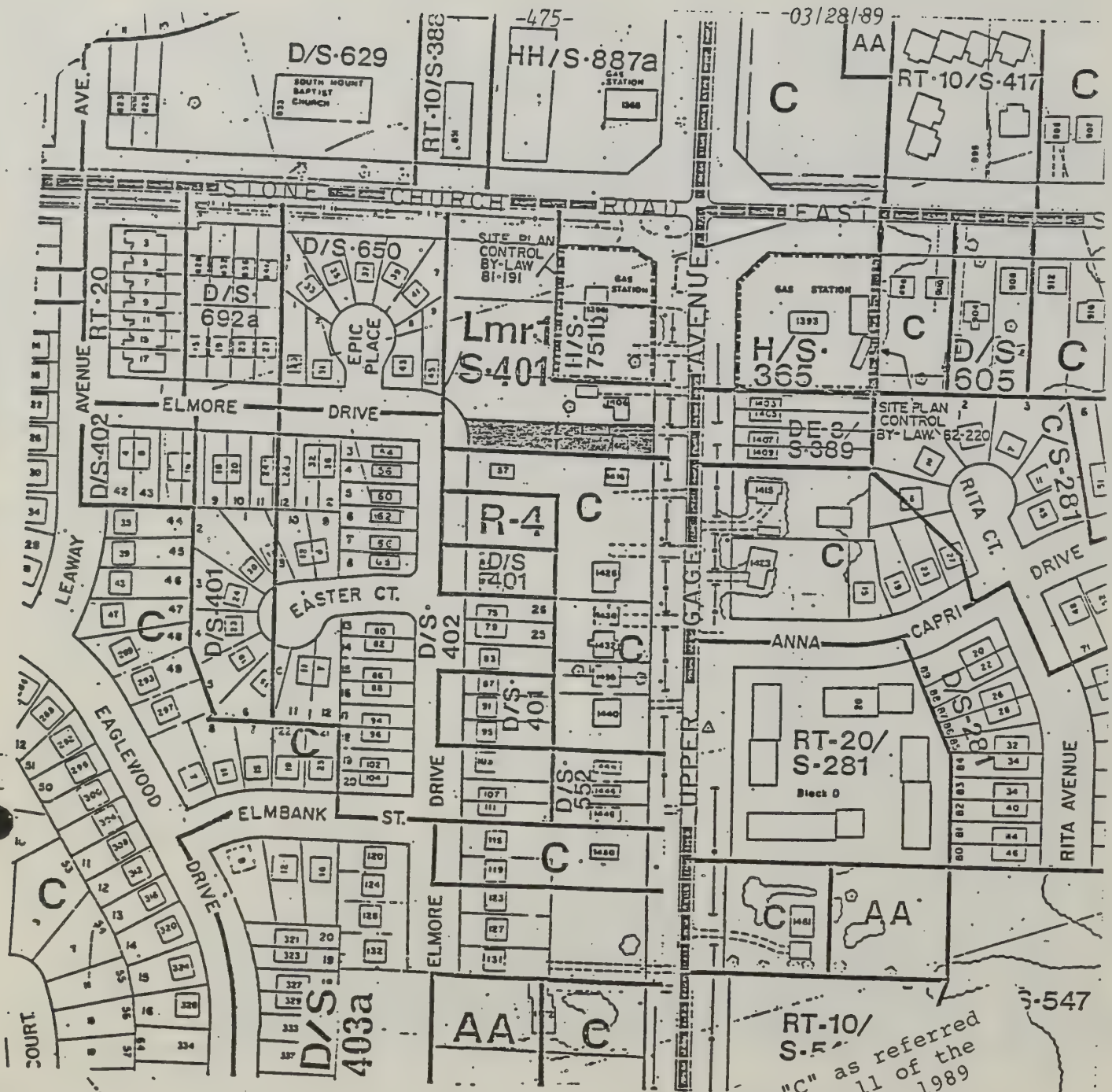
SITE OF THE APPLICATION

Appendix "B" as referred  
to in Section 11 of the  
EIGHTH Report for 1989  
of the Planning and  
Development Committee

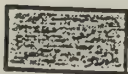


## APPENDIX A





# **LEGEND**



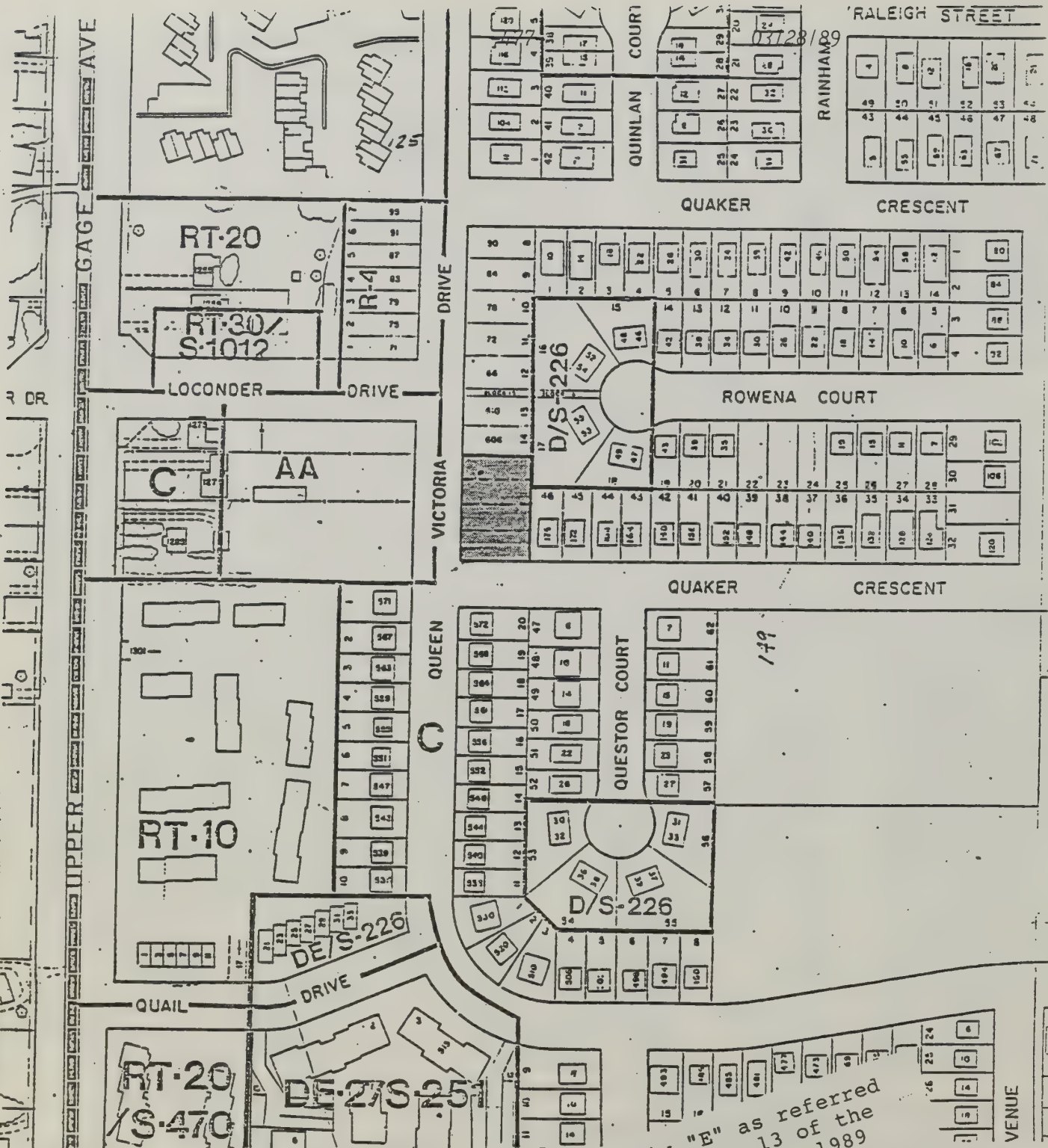
SITE OF THE APPLICATION

Appendix "C" as referred  
to in Section 11 of the  
EIGHTH Report for 1989  
of the Planning and  
Development Committee.

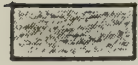






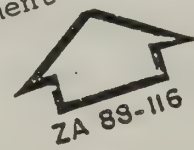


**LEGEND**



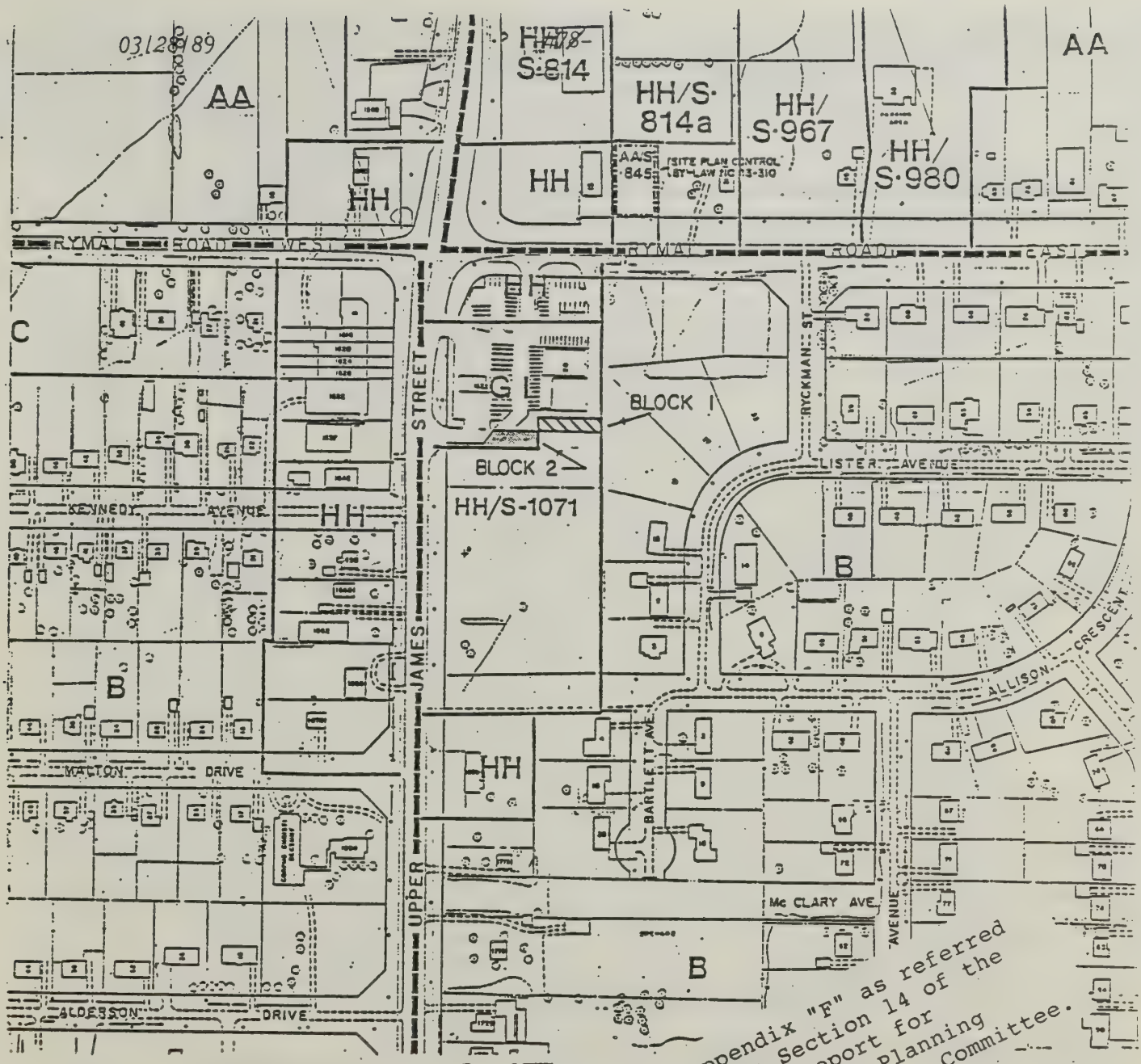
SITE OF THE APPLICATION

Appendix "E" as referred to in Section 13 of the EIGHTH Report for 1989 of the Planning and Development Committee



**APPENDIX A**





## LEGEND

### BLOCK 1



CHANGE IN ZONING FROM "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED TO "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT.

### BLOCK 2

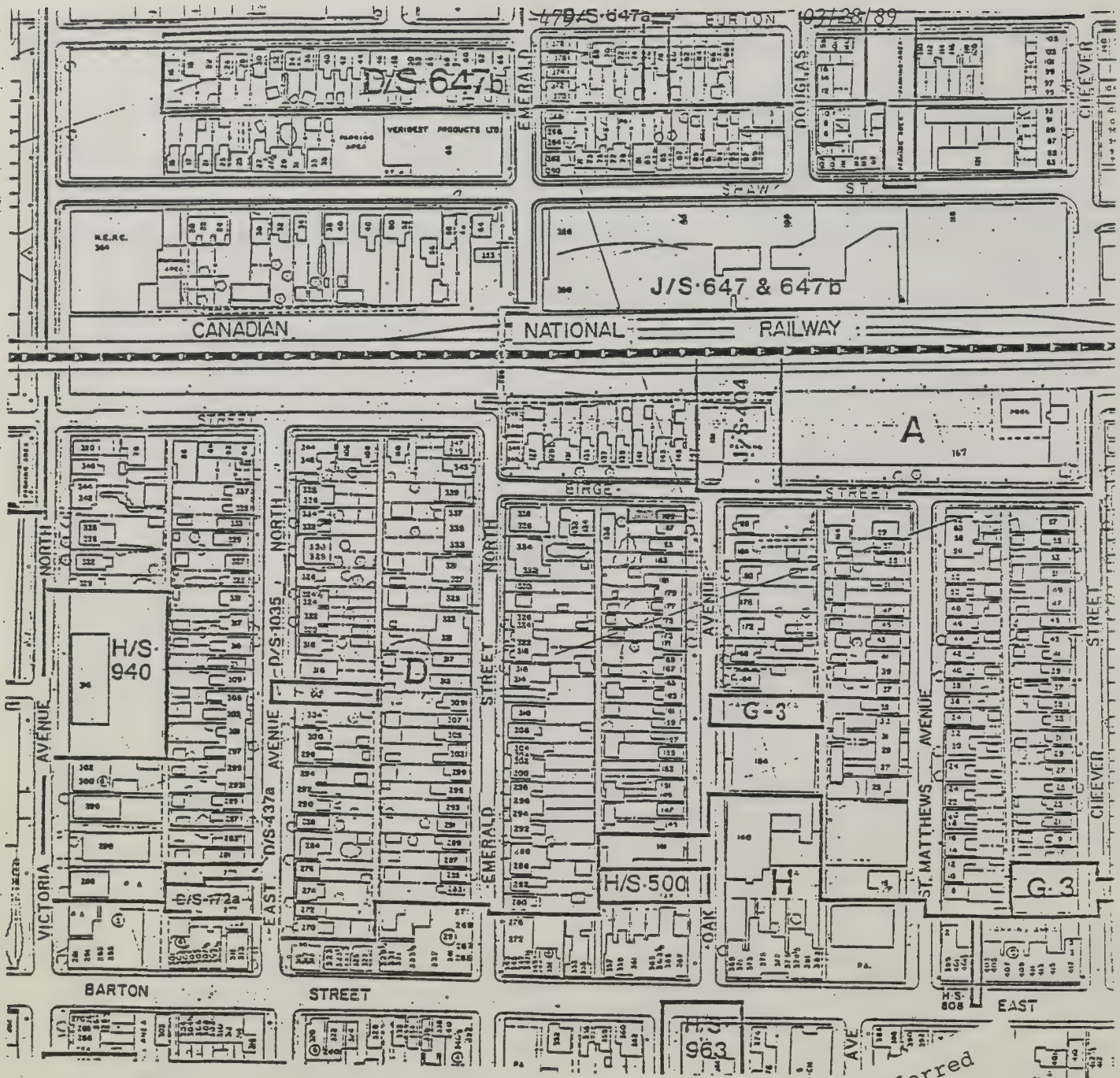


CHANGE IN ZONING FROM "G-1" (DESIGNED SHOPPING CENTRE) DISTRICT TO "HH" (RESTRICTED COMMUNITY SHOPPING AND COMMERCIAL) DISTRICT, MODIFIED.

Appendix "F" as referred  
to in Section 14 of the  
EIGHTH Report for  
1989 of the Planning  
and Development Committee.





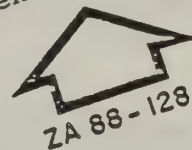


# LEGEND



SITE OF THE APPLICATION

Appendix "G" as referred  
to in Section 15 of the  
EIGHTH Report for 1989  
of the Planning and  
Development Committee.



APPENDIX "A"





## REPORT OF THE LEGISLATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council.

The Legislation Committee presents its SIXTH Report for 1989 and respectfully recommends:

1. (a) That City Council petition the Federal and Provincial Government to study the matter of boating safety and the operators' knowledge and ability to perform safely in and through Ontario's waterways by instituting a system of testing and licencing operators of vessels over 10 h.p.
- (b) That the Federation of Canadian Municipalities and the Association of Municipalities of Ontario be notified of this petitioning.
- (c) That adherence to Section 20, Sub-section 2 of the Hamilton Harbour Commissioners' Act which reads:

"No By-law shall have force or effect until confirmed by the Governor in Council and published in The Canada Gazette, and every such by-law shall, at least ten days before it is submitted to the Governor in Council, be served upon the City Clerk of Hamilton"

be carried out as intended.
- (d) That the City Clerk advise City Council when By-laws are received and that such By-laws be referred to the appropriate Committee of City Council for their information and discussion.
- (e) That the 10 day notification period be monitored by the City Clerk to determine its appropriateness.
- (f) That City Council petition the Federal Government to amend the Hamilton Harbour Commissioners' Act as follows:
  - (i) increase the membership from 3 to 5 members;



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- (ii) that 3 members be appointed by the Federal Government, and 2 members by the Hamilton City Council.
  - (iii) that Sub-section 4 of Section 6 of the Act which reads:  
"no members of the Council shall be eligible to be a commissioner"  
be repealed.
  - (iv) that the two members appointed by Hamilton City Council referred to in Recommendation (ii) above, consist of at least one person who is not a member of Hamilton's City Council.
- 
- 2. That, if required, the Ontario Teachers' Federation be authorized to use the City Hall forecourt for crowd control purposes in connection with a rally of Ontario teachers to take place on Saturday, 1989 April 01.
  - 3. That approval be given for the Mayor's Race Relations Committee to use the Council Chambers on Monday, 1989 April 24 at 7:00 p.m. for a symposium entitled "Police and Racial Minorities".
  - 4. That the request of the Canadian Society of Safety Engineering for permission to use the City Hall foyer to display posters produced by local students during Canadian Occupational Health and Safety Week which occurs 1989 June 18 to June 24, be approved.
  - 5. That approval be given to the request of the Croatian National Congress, Hamilton Branch to use the Council Chambers on Saturday, 1989 May 20 from 11:00 a.m. to 12:00 noon for a ceremony in commemoration of the Croatian Holocaust victims killed at Bleiburg, Austria.
  - 6. That permission be granted to the Interfaith Council for Refugees to use the Council Chambers for a proclamation ceremony on Tuesday, 1989 April 04 from 6:15 p.m. to 7:20 p.m. on the occasion of Refugee Day.
  - 7. That approval be given to the request of St. John Ambulance to fly the St. John flag at City Hall during the week of 1989 May 28 to 1989 June 03 to mark the declaration of "St. John Week in Hamilton".

8. That approval be given to the action of the Legislation Committee in authorizing the flying of the Slovak flag at City Hall during the week of 1989 March 19 to 1989 March 24 in celebration of the 50th Anniversary of the proclamation of the Slovak Republic.
9. That the following resolution from the City of Stoney Creek regarding Bill 178, Minority Language Rights, be received.

WHEREAS this Council is deeply concerned with the imposition of the "notwithstanding" clause inherent in the legislation known as Bill 178, which has been enacted by the Legislature of the Province of Quebec, and

WHEREAS such action circumvents the authority and intent of the judicial system by overriding the decision of the Supreme Court of the Province of Quebec, and

WHEREAS this action has denied basic rights to 800 000 Quebec residents of many national origins who choose to speak the English language and desire to retain their right to erect signs in English on their places of business and other properties used for social, cultural and recreational purposes, and

WHEREAS the other provinces of Canada have extended many rights which Francophones have not previously enjoyed;

NOW THEREFORE BE IT RESOLVED THAT

- (i) The Council of the Corporation of the City of Stoney Creek hereby reaffirms its support of minority language rights.
- (ii) The Prime Minister of Canada and the Premier of Ontario be urged, in their Meech Lake discussions, to condemn the action of Quebec Premier Robert Bourassa in denying the basic and fundamental rights to non-Francophone Quebec residents by disregarding the rulings of the Supreme Court of the Province of Quebec.
- (iii) A copy of this resolution be circulated to the Prime Minister of Canada, Honourable Brian Mulroney; the Premier of Ontario, Honourable David Peterson; the Premier of Quebec, Honourable Robert Bourassa; Honourable Shirley Martin, M.P., Lincoln; Shirley Collins, M.P.P., Wentworth East; the municipalities within the Hamilton-Wentworth Region; Association of Municipalities of Ontario; Federation of Canadian Municipalities.

10. That the following resolution from the Town of Iroquois Falls petitioning the Province to provide funding to assist municipalities to retrofit municipal administrative facilities to provide equal access to all persons, be endorsed.

WHEREAS amendments to the Ontario Human Rights Code proclaimed April 18, 1988, stipulates that employers, landlords and people who provide goods and services to the public must reasonably accommodate persons with special needs resulting either from handicap or other prohibited ground of discrimination;

AND WHEREAS the Honourable Remo Mancini, Minister Responsible for Disabled Persons, by way of letter dated July 27, 1988, has advised that "With the recent proclamation of amendments to the Ontario Human Rights Code, municipalities will be required to provide equal access to services and facilities for all residents";

AND WHEREAS the said Minister has also, by way of letter dated September 20, 1988 advised that "I regret to inform you that there are no provincial grants specifically for the retrofit of municipal administrative facilities";

AND WHEREAS the cost of the retrofit required under the amendment to the Ontario Human Rights Code may, in many instances, impose substantial financial burdens on the taxpayers of the municipality, especially smaller municipalities.

NOW THEREFORE BE IT RESOLVED THAT:-

The Province of Ontario be petitioned to provide funding to assist municipalities to retrofit municipal administrative facilities to provide equal access to all persons.



11. For the information of the members of City Council, the Legislation Committee at its meeting held 1989 March 20 approved of the appointment of Alderman Henry Merling to the Hamilton Farmers' Market Sub-Committee.

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

John Thompson, Secretary  
1989 March 20

mjw

## REPORT OF THE PERSONNEL COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Personnel Committee presents its FOURTH Report for 1989 and respectfully recommends:

1. That the account of Ross & McBride, Barristers & Solicitors, dated 1989 February 28, in the amount of \$53,326.49, BE APPROVED.

NOTE: This account covers their litigation services for the City for the month of February 1989.

2. That the Hamilton Fire Department - Fire Prevention Service Fee Schedule attached herewith and marked APPENDIX "A", BE APPROVED.

3. That the pay grades of the following non-union positions in the Public Works Department BE APPROVED:

	<u>Position Title</u>	<u>Function</u>	<u>Grade</u>	<u>Range</u>
(a)	Superintendent of Operations, Central Garage	Direct the maintenance of and co-ordinate the use of all mobile equipment operated by the City.	J	43,145.96 - 50,862.24
(b)	Parks Development Co-Ordinator	To prepare and maintain a park development master plan and to co-ordinate Parks Division activities with other departments developing government and citizen groups.	K	38,038.00 - 44,776.16
(c)	General Foreman Beautification	Supervise the beautification program of the City of Hamilton.	L	34,886.28 - 41,081.04

NOTE: These positions result from reorganization within the Department of Public Works.

4. That the Appointments to and Terminations from Permanent positions with the Corporation to 1989 March 7 and, 1988 November 25, attached herewith and marked APPENDIX "B", BE APPROVED.
5. (a) That the Policy on Personal Harassment in the workplace BE AMENDED to include procedures for dealing with harassment related to elected officials, as follows:
  - (i) That the existing procedure should cover written complaints of harassment whether it be elected official to employee or employee to elected official or elected official to elected official. Such a complaint may bypass the regular procedure of speaking to the harasser or Supervisor or Department Head and be filed directly with the Commissioner of Human Resources.
  - (ii) The Commissioner of Human Resources has the responsibility to investigate such complaints. Following the investigation a finding shall be documented and steps for resolution taken.
  - (iii) In the event the finding and recommended resolution are mutually satisfactory to the parties the process ends. If the finding and recommended resolution are not satisfactory to all or any of the parties or the particulars of the situation are such that corrective action by Council may be deemed appropriate, the Commissioner of Human Resources shall prepare a report for the Personnel Committee. As is the case in the current policy, all information concerning the case as it relates to employees should be kept confidential and not be placed on the complainant's personnel file.
  - (iv) In cases which might involve elected officials, recommended action by the Personnel Committee to Council might include:
    - (1) a motion disassociating Council from the conduct of the elected official;
    - (2) a motion censuring the elected official for his conduct;
    - (3) any other action deemed appropriate by Committee and Council.



03/28/89

\* 6.

For the information of the members of City Council, the Personnel Committee, at its meeting held 1989 March 22nd, continued discussions from a previous Special Meeting, on the request of the Solicitors within the City Solicitor's Office on the substance of the charges of insubordination made at the City Council meeting held 1989 February 14th with respect to Ivor Wynne Stadium - Proposed Lease to D. O. Braley, In Trust.

Following a lengthy deliberation on this matter by the Personnel Committee, it was agreed that this item, correspondence, and discussion BE RECEIVED.

Respectfully submitted,

ALDERMAN B. HINKLEY, CHAIRMAN  
PERSONNEL COMMITTEE

Susan K. Reeder  
Secretary  
1989 March 22

\* Recorded vote, see page 445

HAMILTON FIRE DEPARTMENTFIRE PREVENTION SERVICE FEE SCHEDULE

	<u>PRESENT</u>	<u>PROPOSED</u>	<u>INCREASE</u>
1. Copies of fire reponse reports	\$10.00	\$15.00	50%
2. Written confirmation as to whether or not there are any outstanding orders against property	\$20.00	\$25.00	25%
3. Inspection of a property in relation to a proposed purchase or for licence purposes other than municipal licences			
a) Private home day care facilities	\$20.00	\$30.00	50%
b) 1 and 2 family dwellings	\$20.00	\$30.00	50%
c) Other occupancies to and including four storeys above grade, including L.L.B.O. licence requests	\$50.00	\$60.00	20%
d) Other occupancies greater than four storeys and specialized occupancies i.e. shopping malls and industrial complexes will be charged at a rate commensurate with area and/or inspection time involved	\$100.00 to \$150.00	\$100.00 to \$300.00	100% top end only.

All of the above fees stated in 3(c) and (d) DO NOT include the testing of life support systems which are the responsibility of the owner in accordance with the Ontario Fire Code.

A cheque or money order made payable to the Corporation of the City of Hamilton and forwarded to the Fire Prevention Bureau, 55 King William Street, 2nd Floor, Hamilton, Ontario L8R 1A2 is to accompany all requests.

All requests respecting the sale or purchase of a premises are to be accompanied by authorization of the present owner permitting the release of the information.

Requests for Items 1 and 2 require 7 days for processing, Item 3 requires 14 days for processing.

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Patricia A. Adams	Keypunch Operator I (E-3)	Information Systems	replacing Ms. D. Richardson - resigned	\$361.95 to \$391.04	\$361.95 per week (1 of 3)	Feb. 20/89
Ms. Cheryl L. Bogle	Administrative Assistant/Secretary (11)	H.E.C.F.I. - Marketing Services	replacing Ms. G. McCaffrey - promoted	\$25,322.44	\$25,322.44 per annum	Feb. 27, 1989
Ms. Helen T. Caffery	Typist Clerk II (E-2)	Clerk's	replacing Ms. M. McKay - promoted	\$339.51 to \$365.75	\$353.06 per week (2 of 3)	Feb. 06, 1989
Ms. Maryann Outhbert	Stenographer IV (E-2)	Public Works	returning to former position	\$339.51 to \$365.75	\$365.75 per week (3 of 3)	Feb. 13, 1989
Ms. Sandra Delangis	Clerk Typist III (E-1)	Culture & Recreation	replacing Ms. H. Caffery - promoted	\$322.63 to \$346.82	\$322.63 per week (1 of 3)	Feb. 20, 1989
Ms. Kelly C. Griffin	Receipts Clerk II (PA4)	Parking Authority	replacing Ms. E. Sajder - promoted	\$18,824.52 to \$20,336.68	\$18,824.52 per annum (1 of 3)	Feb. 20, 1989
Mr. Raymond D. Harkness	Gardener I (D-9)	Public Works	replacing Mr. R. Duckworth - promoted	\$12,192 to \$12,392	\$12,392 per hour (2 of 2)	Jan. 20, 1989
Ms. Sheila Hunt	Gardener II (D-7)	Public Works	replacing Mr. L. Cialini - promoted	\$12,067 to \$12,267	\$12,267 per hour (2 of 2)	Jan. 20, 1989

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APPENDIX "B" as referred  
to in Section 4 of the  
FOURTH Report for 1989  
of the Personnel Committee

Prepared 07 March 1989



THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Linda Juchniewicz	Accident Report Clerk (E-4)	Traffic	replacing Ms. J. Tomkins - resigned	\$397.31 to \$425.83	\$397.31 per week (1 of 3)	Feb. 20, 1989
Ms. Isabel Lindsay	Labourer (B-2)	Parking Authority	replacing Mr. W. Pollington - promoted	\$10.167 to \$10.966	\$10.167 per hour (1 of 2)	Feb. 06, 1989
Mr. Ken McDonald	Assistant Supervisor, Printing & Mail	Clerk's	replacing Mr. R. Salmon - promoted	\$27,278.68 to \$32,060.60	\$27,278.68 per annum (1 of 5)	Feb. 27, 1989
Mr. Frank Peter	Building Inspection Clerk (A-6)	Building	replacing Mr. S. Teal - promoted	\$454.40 to \$544.99	\$454.40 per week (1 of 5)	Jan. 16, 1989
Mr. George Robis	Junior Inspection Clerk (A-4)	Building	replacing Ms. L. Paterson - promoted	\$422.70 to \$476.46	\$422.70 per week (1 of 5)	Feb. 13, 1989
Mr. Roland Salmon	Supervisor, Printing & Mail (M)	Clerk's	replacing Mr. J. Speyker - retired	\$32,604.00 to \$38,364.56	\$35,321.52 per annum (3 of 5)	March 1, 1989
Mr. Carl Speight	Captain (C-8)	Fire	replacing Mr. G. C. Peace - promoted	\$48,150.77	\$48,150.77	Feb. 12, 1989
Mr. James Warden	Captain (C-8)	Fire	replacing Mr. Wm. Cooke - retired	\$48,150.77	\$48,150.77	Feb. 19, 1989

## THE CORPORATION OF THE CITY OF HAMILTON

## TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Leo J. Brown	By Law Officer	Traffic Services	Retired	7 years, 2 months	March 10, 1989
Mr. Brian K. Conacher	Managing Director/ Chief Executive Officer	H.E.C.F.I.	Resigned	4 years	March 1, 1989
Ms. Gretchen Keenan	Clerk Typist III	Real Estate (Division of Property Department)	Resigned	3 months	February 24, 1989
Ms. Jean Lindsay	Cleaner	Property Maintenance (Division of Property Department)	Retired	23 years, 10 months	March 27, 1989
Mr. Basil S. Maraj	Foreman II	Public Works	Retired	15 years, 3 months	February 28, 1989
Mr. Jim McMillan	Truck Driver/Labourer (Litter Containers)	Public Works	Resigned	1 year, 6 months	March 6, 1989
Mr. Joe Speyker	Supervisor, Printing and Mailing	Clerk's	Retired	33 years, 4 months	March 1, 1989

Prepared 07 March 1989

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Douglas J. Banner	Programmer II (A-11)	Treasury	replacing Ms. L. Kurjank - promoted	\$566.59 to \$669.48	\$566.59 per week (1 of 5)	Nov. 21/88
Mr. Darrin D. Bianchini	Programmer II (A-11)	Treasury	replacing Mr. D. Ecker - resigned	\$566.59 to \$669.48	\$591.51 per week (2 of 5)	Nov. 21/88
Mr. J. Patrick Chambers	Programmer II (A-11)	Treasury	replacing Mr. R. Young - resigned	\$566.59 to \$669.48	\$566.59 per week (1 of 5)	Nov. 21/88
Ms. Lois Corey	Curatorial Assistant (GA)	Children's Museum (division of Culture & Recreation)	replacing Ms. L. Pashuk - resigned	\$9.88	\$9.88 per hour	Nov. 07/88
Ms. Maryann Cuthbert	Accident Report Clerk (E-4)	Traffic	replacing Ms. J. Berestecki - promoted	\$397.31 to \$425.83	\$397.31 per week (1 of 3)	Nov. 23/88
Mr. Gilbert L. Desjarlais	Captain (C-8)	Fire	replacing Mr. J. Hargrove - retired	\$48,150.77	\$48,150.77 per annum	Oct. 30/88
Mr. Mark T. Franco	Taxation Officer (O)	Treasury	replacing Mr. T. Bradbury - promoted	\$27,278.69 to \$32,060.60	\$27,278.69 per annum (1 of 5)	Nov. 21/88
Ms. Gretchen Keenan	Clerk Typist III (E-1)	Real Estate (division of Property Department)	replacing Ms. L. DiFazio - resigned	\$322.63 to \$346.82	\$322.63 per week (1 of 3)	Nov. 14/88
Mr. Gordon S. Kudlowich	Motor Mechanic (D-17)	Public Works	replacing Mr. D. Boyter - promoted	\$14.523 to \$14.723	\$14.723 per hour (2 of 2)	Nov. 07/88

Prepared 25 November 1988



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Diane B. McGuire	Administrative Assistant II (O)	Mayor's Office (division of City Clerk's)	replacing Ms. S. Pirple - resigned	\$27,278.68 to \$32,060.60	\$27,278.68 per annum (1 of 5)	Nov. 21/88
Ms. Bonnie L. McKinlay	Counter Clerk (E-3)	City Clerk's	replacing Ms. E. Mason - promoted	\$361.95 to \$391.04	\$361.95 per week (1 of 3)	Nov. 21/88
Mr. Glen G. Peace	District Chief (C-11)	Fire	replacing Mr. J. Redding - retired	\$52,238.54	\$52,238.54 per annum	Nov. 13/88
Ms. Linda Persichini	Box Office Supervisor (10)	H.E.C.F.I.	replacing Ms. M. Bowlby - promoted	\$22,496.76	\$22,496.76 per annum	Oct. 31/88
Mr. Tim Rhora	Garbageman/Woman (D-8)	Public Works	replacing Mr. J. Batchelor - promoted	\$12.128 to \$12.328	\$12.128 per hour (1 of 2)	Nov. 07/88
Ms. Patty A. Smith	Senior Accounting Clerk (11)	H.E.C.F.I.	replacing Ms. K. Stanton - promoted	\$25,322.44	\$25,322.44 per annum	Nov. 07/88

Prepared 25 November 1988

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Gladys Goodman	Cleaner	Property Maintenance (division of Property Department)	Retired	7 years, 11 months	November 30, 1988
Mr. Michael Reilly	Inspector	Building	Resigned	5 years, 10 months	November 18, 1988

Prepared 25 November 1988

## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its SEVENTH Report for 1989 and respectfully recommends:

1. That a purchase order be issued to Johnston Motor Sales, Hamilton, in the amount of \$14 488.88 for the replacement of one (1) 5 passenger window van no. 9044, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of nine (9) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55005-25201.

2. That a purchase order be issued to G.C. Duke Equipment Ltd., Burlington in the amount of \$134 892 for the replacement of street sweeper no. 9563, Central Garage in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of three (3) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

3. That a purchase order be issued to Frank J. Zamboni & Co. Ltd., Brantford, in the amount of \$62 197.20 for the replacement of two (2) propane ice resurfacers nos. 1209 and 1211, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Only tender received. Funds provided in Reserve for Mobile Equipment Account No. RF55006-25201.

4. That a purchase order be issued to Holland Chev Olds, Burlington, in the amount of \$56 097.78, for the replacement of three (3) 3/4 ton pickup trucks nos. 9309, 9310, 9314, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

NOTE: Lowest of six (6) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.



5. That a purchase order be issued to Steel City Chrysler, Hamilton, in the amount of \$77 060.16 for the replacement of four (4) 1 ton pickup trucks nos. 9017, 9022, 9024, 9026, Central Garage, in accordance with specifications issued by the Manager of Purchasing and Vendor's tender.

**NOTE:** Lowest of six (6) tenders received. Funds provided in Reserve for Mobile Equipment Account No. RF55003-25201.

6. That the Annual Financial Statements of the Hamilton Harbour Commissioners be referred to the appropriate Standing Committees of Council for examination and discussion.

7. That the total 1988 current fund overdrafts for amounts between \$1 000 and \$5 000, in the amount of \$83 872.28, which have originated during November and December, 1988 as summarized on the attached report marked as **APPENDIX "A"**, be approved.

**NOTE:** As the members of City Council will recall, the Chief Administrative Officer and the City Treasurer were authorized to approve overdrafts which developed as a year end practice over the years, providing that a list of such transactions was compiled for approval by the appropriate Standing Committee and City Council in the new year. You will note on the attached Schedule marked as **APPENDIX "A"** (Column 7) that the overdraft total for approval, amounts to \$83 872.28 after excluding overdrafts which have been financed from interdepartmental estimate transfers.

These overdrafts were all financed by means of expenditure savings within the Departments indicated or within the responsibility of the Standing Committee involved.

8. That the total 1988 current fund overdrafts for amounts in excess of \$5 000 in the amount of \$1 686 011.64, which have originated during November and December, 1988 as summarized on the attached report marked as **APPENDIX "B"**, be approved.

**NOTE:** As the members of City Council will recall, the Chief Administrative Officer and the City Treasurer were authorized to approve overdrafts which developed as a year end practice over the years, providing that a list of such transactions was compiled for approval by the appropriate Standing Committee and City Council in the new year. You will note on the attached Schedule marked as **APPENDIX "B"** (Column 7) that the overdraft total for approval, amounts to \$1 686 011.64 after excluding overdrafts which have been financed from interdepartmental estimate transfers.

These overdrafts were all financed by means of expenditure savings within the Departments indicated or within the responsibility of the Standing Committee involved.

9. That the estimated cost of \$10 125 of assigning school traffic officers to the intersections of Trevi Road/Greenshire Drive and Upper Paradise (\$4 620) and Mt. Albion and Greenhill (\$5 505) as approved by City Council 1989 March 14, be funded from the existing school crossing guard budget, on an overdraft basis if necessary.
10. That the Summary Report attached hereto as APPENDIX "C" containing a listing and amounts of approved Settlement of Claims, be received.

Respectfully Submitted,

ALDERMAN W. M. McCULLOCH, CHAIRMAN  
FINANCE COMMITTEE

John Thompson, Secretary  
1989 March 21

mjlw

03/28/89

APPENDIX "A" as referred to in  
Section 7 of the SEVENTH  
Report of the Finance Committee

City of Hamilton  
Treasury

LIST OF REQUESTS FOR OVERDRAFTS FROM \$1,000 UP TO \$5,000 WITHIN THE 1988 CURRENT  
BUDGET TO BE AUTHORIZED BY THE FINANCE COMMITTEE

DEPARTMENT	ACCOUNT NO.	DESCRIPTION	APPROPRIATION	EXPENDITURES	OVERDRAFT	REQUEST FOR APPROVAL
(1)	(2)	(3)	(4)	(5)	(6)	(7)
MAYOR						
	0321-0129	PICTURE & CAMERA SUPPLIES	5,000.00	6,764.06	(1,764.06)	(1,764.06)
ALDERMEN'S OFFICE						
	0321-0321	OFFICE SUPPLIES	7,630.00	9,564.04	(1,934.04)	(1,934.04)
CITY CLERKS						
	0322-0183	RENTAL OFFICE EQUIPMENT	18,600.00	19,919.03	(1,319.03)	(1,319.03)
PROPERTY MAINTENANCE						
	0328-0231	REPAIRS&MAINTENANCE-CITY HALL	35,900.00	37,772.89	(1,872.89)	(1,872.89)
	0328-1233	REPAIRS&MAINTENANCE-REC. BLDGS	66,620.00	68,551.66	(1,931.66)	(1,931.66)
	0328-6518	CARETAKING-CHURCHILL DISC. CENTER	24,190.00	26,657.51	(2,467.51)	(2,467.51)
	0328-6618	CARETAKING-DALE WOOD DISC. CENTER	29,960.00	32,684.89	(2,724.89)	(2,724.89)
	0328-6818	CARETAKING-LAURIER DISC. CENTER	29,670.00	32,298.12	(2,628.12)	(2,628.12)
	0328-6933	REPAIRS & MAINTENANCE-WP LOUIS DISC.	21,010.00	23,861.60	(2,851.60)	(2,851.60)
	0328-7033	REPAIRS&MAINTENANCE-MAC DISC. CENTER	16,700.00	18,965.15	(2,265.15)	(2,265.15)
	0328-7118	CARETAKING-RYERSON DISC. CENTER	31,390.00	33,815.59	(2,425.59)	(2,425.59)
	0328-7318	CARETAKING-WESTMOUNT DISC. CENTER	25,630.00	26,764.94	(1,134.94)	(1,134.94)
INFORMATION SYSTEMS						
	0336-2081	CAR RENTAL-ADMIN. SUPPORT SERVICES	440.00	2,011.55	(1,571.55)	(1,571.55)
	0336-2394	TRAINING COURSE-PROGRAMMING	10,680.00	12,971.16	(2,291.16)	(2,291.16)
	0336-2587	RENTAL OFF SITE-CENTRAL PROCESSING	4,000.00	5,535.06	(1,535.06)	(1,535.06)
	0336-3020	CONTRACTUAL SERVICES-IMAGE PROCESSING	6,000.00	7,014.51	(1,014.51)	(1,014.51)
	0336-3031	REPAIRS & MAINTENANCE-IMAGE PROCESSING	15,000.00	16,514.46	(1,514.46)	(1,514.46)
FIRE						
	0341-0121	OFFICE SUPPLIES	7,030.00	9,317.74	(2,287.74)	(2,287.74)
	0341-0135	REPAIRS & MAINTENANCE	17,840.00	20,004.93	(2,164.93)	(2,164.93)
PLANNING						
	0331-0160	LACAC	106,370.00	111,219.40	(4,849.40)	(4,849.40)
BUILDING						
	0344-0191	TRAVELLING	9,900.00	12,508.27	(2,608.27)	(2,608.27)
TRAFFIC						
	0345-***	PAVEMENT MARKINGS	58,710.00	61,049.02	(2,339.02)	(2,339.02)
	0345-***	METER MAINTENANCE	128,340.00	130,289.98	(1,949.98)	(1,949.98)
PUBLIC WORKS						
	0350-0111	TELEPHONES	750.00	2,777.40	(2,027.40)	(2,027.40)
	0350-0116	POSTAGE	1,370.00	2,482.95	(1,112.95)	(1,112.95)
	0350-0135	REPAIRS & MAINTENANCE	4,610.00	8,334.76	(3,724.76)	(3,724.76)
	0350-0183	RENTAL	1,580.00	3,670.44	(2,090.44)	(2,090.44)



City of Hamilton  
Treasury  
LIST OF REQUESTS FOR OVERDRAFTS FROM \$1,000 UP TO \$5,000 WITHIN THE 1988 CURRENT  
BUDGET TO BE AUTHORIZED BY THE FINANCE COMMITTEE

DEPARTMENT	ACCOUNT NO.	DESCRIPTION	APPROPRIATION	EXPENDITURES	OVERDRAFT	REQUEST FOR APPROVAL
(1)	(2)	(3)	(4)	(5)	(6)	(7)
CEMETERIES						
	0359-5027	UNIFORMS & ACCESSORIES	12,800.00	15,062.71	(2,262.71)	(2,262.71)
	0359-5033	REPAIRS & MAINTENANCE	6,910.00	8,238.75	(1,328.75)	(1,328.75)
PARKS						
	0364-****	PARKS DEVELOPMENT	81,500.00	83,722.80	(2,222.80)	(2,222.80)
	0364-****	MISCELLANEOUS	104,000.00	107,795.11	(3,795.11)	(3,795.11)
CULTURE & RECREATION						
	0367-0192	CAR ALLOWANCE	1,960.00	6,934.03	(4,974.03)	(4,974.03)
	0367-1027	UNIFORM & ACCESSORIES-POOLS&RINKS	1,640.00	3,090.40	(1,450.40)	(1,450.40)
	0367-1028	SURGICAL SUPPLIES	120.00	1,618.21	(1,498.21)	(1,498.21)
	0367-1031	REPAIRS & MAINTENANCE	1,000.00	2,922.46	(1,922.46)	(1,922.46)
	0367-6123	OPERATING SUPPLIES-KINGS FOREST	5,980.00	9,678.22	(3,698.22)	(3,698.22)
HISTORIC SITES						
	0369-0112	PROMOTION & PUBLICITY	54,890.00	57,208.47	(2,318.47)	(2,318.47)
		TOTAL				(83,872.28)

City of Hamilton  
 Treasury

LIST OF REQUESTS FOR OVERDRAFTS OVER \$5,000 WITHIN THE 1988 CURRENT  
 BUDGET TO BE AUTHORIZED BY THE FINANCE COMMITTEE  
 AND CITY COUNCIL

DEPARTMENT	ACCOUNT NO.	DESCRIPTION	APPROPRIATION	EXPENDITURES	OVERDRAFT	REQUEST FOR OVERDRAFT APPROVAL
(1)	(2)	(3)	(4)	(5)	(6)	(7)
MAYOR						
-----	0321-0146	MEMENTOS	26,000.00	33,935.98	(7,935.98)	(7,935.98)
ALDERMENS' OFFICE						
-----	0321-0316	POSTAGE	12,600.00	20,040.47	(7,440.47)	(7,440.47)
CITY SOLICITOR						
-----	0325-XXXX	NET 1988 EXPENDITURES	1,233,450.00	1,277,954.13	(44,504.13)	(44,504.13)
PROPERTY MAINTENANCE						
-----	0328-0211	TELEPHONE-CITY HALL	151,300.00	212,710.03	(61,410.03)	(61,410.03)
	0328-6718	CARETAKING-HILLPARK DISC. CENTER	29,670.00	36,167.10	(6,497.10)	(6,497.10)
INFORMATION SYSTEM						
-----	0336-2523	OPERATING SUPPLIES-CENTRAL PROCESSING	72,520.00	78,391.13	(5,871.13)	(5,871.13)
	0336-2984	RENTAL OFFICE EQP.-TERMINALS&PRINTERS	457,660.00	508,956.01	(51,296.01)	(51,296.01)
	0336-3023	OPERATING SUPPLIES-IMAGE PROCESSING	19,650.00	29,567.61	(9,917.61)	(9,917.61)
FIRE						
-----	0341-0123	OPERATING SUPPLIES	36,210.00	51,777.30	(15,567.30)	(15,567.30)
	0341-0318	HYDRANT SURCHARGE	136,980.00	143,454.00	(6,474.00)	(6,474.00)
PLANNING						
-----	0331-0119	LOCAL PLANNING-BY REGION	1,508,660.00	1,528,284.35	(19,624.35)	(19,624.35)
TRAFFIC						
-----	0345-XXXX	NON SUBSIDIZED OPERATIONS	427,600.00	560,218.59	(132,618.59)	(132,618.59)
CENTRAL SERVICES GARAGE						
-----	0348-XXXX	NET 1988 EXPENDITURES		472,418.56	(472,418.56)	(472,418.56)
PUBLIC WORKS						
-----	0350-0127	UNIFORMS & ACCESSORIES	135,950.00	177,945.34	(41,995.34)	(41,995.34)
	0350-XXXX	GARBAGE COLLECTION	4,291,060.00	4,356,365.24	(65,305.24)	(65,305.24)
	0350-XXXX	ROAD & SIDE WALK	4,469,310.00	4,591,908.74	(122,598.74)	(122,598.74)
	0350-XXXX	SPECIFIC PROJECTS	477,130.00	509,864.75	(32,734.75)	(32,734.75)
CENETERIES						
-----	0359-5049	PERPETUAL CARE FUND	116,080.00	134,422.75	(18,342.75)	(18,342.75)
PARKS						
-----	0364-XXXX	PARKS MAINTENANCE	3,664,750.00	3,807,636.76	(142,886.76)	(142,886.76)

City of Hamilton  
Treasury

LIST OF REQUESTS FOR OVERDRAFTS OVER \$5,000 WITHIN THE 1988 CURRENT  
BUDGET TO BE AUTHORIZED BY THE FINANCE COMMITTEE  
AND CITY COUNCIL

DEPARTMENT	ACCOUNT NO.	DESCRIPTION	APPROPRIATION	EXPENDITURES	OVERDRAFT	REQUEST FOR OVERDRAFT APPROVAL
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>CULTURE &amp; RECREATION</b>						
	0367-0121	OFFICE SUPPLIES	8,800.00	14,085.97	(5,285.97)	(5,285.97)
	0367-0887	RENTAL-COMMUNITY SERVICES	160,000.00	168,593.05	(8,593.05)	(8,593.05)
	0367-1023	OPERATING SUPPLIES-POOLS & RINKS	3,050.00	13,437.01	(10,387.01)	(10,387.01)
<b>TRANSPORT &amp; ENVIRONMENT COMMITTEE</b>						
	0372-5001	POLLUTION & NOISE CONTROL-BY REGION	71,200.00	90,869.80	(19,669.80)	(19,669.80)
<b>FINANCIAL</b>						
	0378-02XX	EMPLOYEE BENEFITS-OTHER	232,850.00	287,806.10	(54,956.10)	(54,956.10)
	0378-05XX	TAX REMISSIONS	1,077,800.00	1,263,328.61	(185,528.61)	(185,528.61)
	0378-1898	DAMAGE CLAIMS	100,000.00	195,681.07	(95,681.07)	(95,681.07)
	0378-27&28	UNCLASSIFIED	45,000.00	85,471.19	(40,471.19)	(40,471.19)
				<b>TOTAL</b>	<b>-</b>	<b>(1,686,011.64)</b>



03/28/89

APPENDIX "C" as referred to in  
Section 10 of the SEVENTH  
Report of the Finance Committee

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Akiwanzie	City of Hamilton	Trip and Fall 1987 October 27	\$3 507.50
Willson	City of Hamilton	Trip and Fall 1987 November 24	\$2 613.55
Mutise	City of Hamilton	Accident Fall, Fire Escape 1986 August 28	\$2 500.00
Helen Clarke	City of Hamilton	Trip and Fall 1988 May 10	\$ 95.00

APPENDIX "C" as referred to in  
Section 10 of the SEVENTH  
Report of the Finance Committee

FINANCE COMMITTEE

SUMMARY OF APPROVED SETTLEMENT OF CLAIMS

<u>PLAINTIFF</u>	<u>DEFENDANT</u>	<u>NATURE OF CLAIM</u>	<u>AMOUNT OF SETTLEMENT</u>
Akiwanzie	City of Hamilton	Trip and Fall 1987 October 27	\$3 507.50
Willson	City of Hamilton	Trip and Fall 1987 November 24	\$2 613.55
Muise	City of Hamilton	Accident Fall, Fire Escape 1986 August 28	\$2 500.00
Helen Clarke	City of Hamilton	Trip and Fall 1988 May 10	\$ 95.00

# REPORT OF THE INFORMATION SYSTEMS COMMITTEE

The Information Systems Committee met at 9:30 o'clock a.m. on Thursday, 1989 March 23 in the Committee Room, 15th Floor, Regional Offices.

Present: Chairman (Councillor) J. Gallagher  
Councillor S. Napper  
Councillor M. Kiss  
Councillor G. Copps

Absent with Regrets: Councillor A. Sloat (Illness)

Members of Council:

The Information Systems Committee presents Report 3-89.

Your Committee recommends:

1. (a) That employees of the Corporation of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth be permitted and encouraged to purchase their own microcomputer equipment similar to equipment currently used by the Corporation of the City of Hamilton.
- (b) That Information Systems develop a specification in consultation with the Employee Computer User groups for the bulk purchase of microcomputer equipment suitable for an employee purchase program.
- (c) That Information Systems establish a "library" for lending software to employees for training purposes only.
- (d) That, for the Employee Computer Literacy Program, the purchasing policy which prohibits personal purchases being made for employees and elected representatives, be waived.
- (e) That the financing for bulk purchases and arrangements for employee repayment with interest be referred to the Finance Committees of the Regional Municipality of Hamilton-Wentworth and the City of Hamilton for the method of financing to be followed.

Agenda Item #3

Respectfully Submitted,

J. Gallagher, Chairman

John Thompson, Secretary  
1989 March 23

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## FOR THE INFORMATION OF COUNCIL

- (a) The minutes of 1989 February 23 of the Information Systems Committee were received and adopted as presented.

Agenda Item #1

- (b) 1989 Current Budget Estimates and Ranked Projects

The Information Systems budget (City of Hamilton portion) was reduced by a further \$8 110 by eliminating Packages Nos. 5 and 6.

Agenda Item #4

- (c) Presentation by the Director of Information Systems

The Committee received a presentation concerning the Rationalization of Resources.

Agenda Item #5

- (d) Replacement of Obsolete Terminals in Various Regional Departments

The Committee authorized the Director of Information Systems to obtain quotations for the replacement of obsolete Telex 278 series terminals.

Agenda Item #6

- (e) The following items were received.

- (i) Maintenance Management System Project Initiation and Manager

Agenda Item #7

- (ii) Status of Information Systems Services to be available at Fairclough Building

Agenda Item #8

- (iii) Request for Proposals for Microcomputer Workstations and Printers

Agenda Item #9

- (iv) Correspondence Regarding Employee Computer Literacy Program

Agenda Item #2





ACCOPR

25070	YELLOW	
25071	BLACK	
25072	BLUE	
25073	R. BLUE	
25074	GREEN	
25075	GREEN	
25077	TAN	
25078	RED/ROUGE	BF2507
25079	X. RED/ROUGE X.	BX2507

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